

From: The Buckeye Institute
Sent: Thursday, August 17, 2017 11:53 AM
To: Miller, Brad
Subject: As Senate Prepares to Take-Up Veto Overrides, Buckeye Experts Weigh-In

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THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

August 17, 2017

(614) 224-3255 or Lisa@BuckeyeInstitute.org

As Senate Prepares to Take-Up Veto Overrides, Buckeye Experts Weigh-In

Columbus, OH - As the Ohio Senate prepares to return to Columbus to vote on overriding some of Governor John Kasich's vetoes in the state's biennial budget, **The Buckeye Institute's** experts weighed-in on three critical areas.

In July, the Ohio House overrode the governor's veto of the Healthy Ohio waiver. This override puts back into place the requirement that the Administration submit the waiver request to the U.S. Department of Health and Human Services.

"With the federal government expressing a desire to partner with states on Medicaid reform, Ohio should seek a bold waiver to improve the Medicaid program," said **Rea S. Hederman Jr.**, executive vice president at The Buckeye Institute and a nationally recognized expert in health care policy. "The Healthy Ohio waiver can empower

Medicaid recipients to obtain better care, return to work, and ensure that needy Medicaid enrollees have to access to good medical services."

Hederman continued, "Medicaid continues to grow rapidly and is, by far, the largest budget item when looking at total dollars spent. By overriding the veto and submitting a Medicaid waiver to DC, the General Assembly is taking a prudent step to protect taxpayers and ensure that Medicaid benefits will be available to those who need them."

The Ohio House also overrode the governor's veto of a measure which restored legislative oversight to approving Medicaid spending increases rather than limiting approval to the Controlling Board.

"By overriding the veto, the General Assembly will restore balance to the relationship between the legislative and executive branch," said Hederman. "With this action, the General Assembly limits the ability of the executive branch to appropriate huge sums of money with limited legislative oversight. Further, it makes sure the full General Assembly, not six legislators and a gubernatorial appointee, are responsible for approving big new federal programs and all the strings that are inevitably attached."

Unfortunately, the House overrode the governor's veto of the Medicaid managed care sales tax replacement plan and Buckeye hopes that the Senate will let Governor Kasich's veto stand.

"We agree with Governor Kasich's veto of the proposed replacement for local Medicaid sales tax revenues and we were disappointed that the Ohio House overrode the governor's veto," said **Greg R. Lawson**, research fellow at The Buckeye Institute. "This proposal is a tax on insurance plans and as with most government taxes, it is highly unlikely that this new tax will be 'temporary.' It is time for local governments to go to their voters and convince them of the need to raise local taxes for local services rather than blaming Columbus for their inability to spend wisely."

###

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The Buckeye Institute, 88 East Broad Street,
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Sent by info@buckeyeinstitute.org

From: Miller, Brad
Sent: Thursday, August 17, 2017 12:53 PM
To: Best, Carolyn
Subject: RE: Rep Richard Brown Proofs

Last week, Darrel Rowland asked for a list of members who attended NCSL, ALEC and CSG this year. We provided attendees for NCSL and Rep. Retherford's office provided a list for ALEC. I have not heard anything else about it since then.

From: Best, Carolyn
Sent: Thursday, August 17, 2017 12:50 PM
To: Miller, Brad <Brad.Miller@ohiohouse.gov>
Subject: FW: Rep Richard Brown Proofs

?

From: Plottner, Jordan
Sent: Thursday, August 17, 2017 12:44 PM
To: Best, Carolyn <Carolyn.Best@ohiohouse.gov>
Subject: RE: Rep Richard Brown Proofs

I didn't. Thank you so much! On an unrelated note, did you get a call about NCSL from the Dispatch? Andy said he heard they were looking for NCSL attendance records, or something to that effect, but he wasn't sure.

Thanks again!

Jordan

From: Best, Carolyn
Sent: Thursday, August 17, 2017 12:42 PM
To: Plottner, Jordan <Jordan.Plottner@ohiohouse.gov>
Subject: FW: Rep Richard Brown Proofs

Wasn't sure if you/the office had received these. Thanks!

-Carolyn

From: Jim Shively [mailto:jtshively00@gmail.com]
Sent: Thursday, August 17, 2017 11:49 AM

To: Best, Carolyn <Carolyn.Best@ohiohouse.gov>

Subject: Rep Richard Brown Proofs

Have a good weekend.

Happy eclipse

jim

--

Jim Shively

Larry Phillips Photography

35 E. Gay St.

Suite 312

Columbus, Ohio

614-469-0386

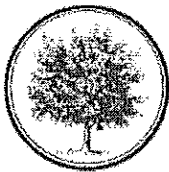
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From: The Buckeye Institute
Sent: Friday, August 18, 2017 10:59 AM
To: Miller, Brad
Subject: Buckeye's Rea Hederman: Ohio July Jobs Report is a Sober One

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August 18, 2017

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Buckeye's Rea Hederman: Ohio July Jobs Report is a Sober One

Columbus, OH - Rea S. Hederman Jr., executive vice president at **The Buckeye Institute**, commented on newly released unemployment data from the **Ohio Department of Job and Family Services**.

"The Ohio labor market dipped in July with the unemployment rate increasing from 5.0 to 5.2 percent, and Ohioans stopped looking for work as labor force participation fell to national levels at 62.9 percent. In addition, private sector job opportunities continued the stream of bad news, with 2,500 fewer private sector jobs in July compared to June.

"Overall, the Ohio July jobs report is a sober one. While one month of data can be a statistical anomaly, policymakers should begin considering measures to increase economic opportunities in Ohio private sector."

###

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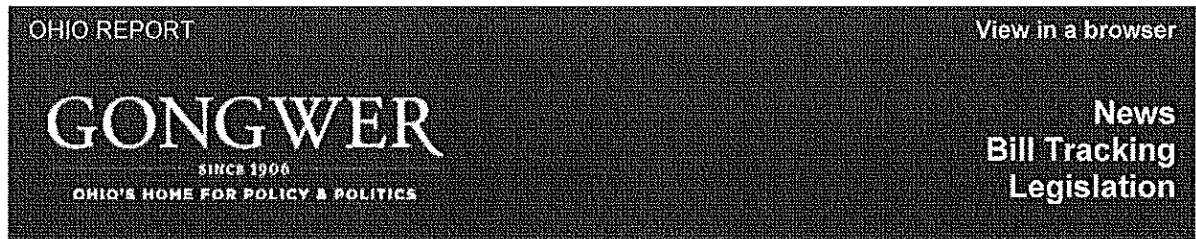
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From: Gongwer News Service
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Subject: Ohio Report, Friday, August 18, 2017
Attachments: 170818plan.htm; Aug18.htm; 170818dayplan.htm

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OHIO REPORT FRIDAY, AUGUST 18

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## **Event Planner**

**Saturday, August 19**

Ohio Democratic Women's Caucus Luncheon, Hilton Columbus Downtown, 401 N High St., Columbus, 11:30 a.m., (Keynote Speaker is Kathleen Sebelius. For more information contact Rachel Rossi (rachel@ohiodems.org))

**Monday, August 21**

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Urbana Country Club, 4761 US-36, Urbana, (9:00 am Registration | 10:00 am Shotgun Start | Lunch at the turn on the go | 2:30 pm Short Program. \$1,000 Tournament Sponsor; \$600 Eagle Sponsor; \$200 Hole Sponsor; \$100 Golfer)

OHROC Lake Erie Boat Cruise and Reception with Speaker Cliff Rosenberger (R-Clarksville), Rep. Steve Arndt (R-Port Clinton), and Rep. Bill Reineke (R-Fremont), Catawba Island Club, 4235 E. Beach Club Road, Port Clinton, 5:30 p.m., (5:30pm Arrive at Catawba Island Club; 6:00pm Depart on Burger Yacht "Gemini"; 8:00pm Reception. Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000; Guest: \$500 to OHROC)

**Thursday, August 24**

Sen. Bob Hackett (R-London) golf outing fundraiser, London Country Club, 1199 Spring Valley Rd., London, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. \$1,000 Ace Sponsor, \$700 Eagle Sponsor, \$500 Cart Sponsorship, \$250 Hole Sponsorship, \$150 Cart Sponsorship, \$100 Tee Sponsorship, \$85 Individual to Hackett for Ohio)

Hamilton County GOP State Legislators golf outing fundraiser, Glenview Golf Course, 10965 Springfield Pike, Cincinnati, 10 a.m., (\$1500 Sponsor; \$300 Hole Sponsor; \$175 Golfer)

**Sunday, August 27**

Rep. Theresa Gavarone (R-Bowling Green) shooting fundraiser, Nagle Trucking, 4520 Moline-Martin Road, Walbridge, 1:30 p.m., (Expert: \$250; Sharpshooter: \$100 to Citizens for Gavarone)

**Monday, August 28**

Rep. Scott Ryan (R-Newark) golf outing fundraiser, Moundbuilders Country Club, 125 N. 33rd Street, Newark, 10 a.m., (10:00am Registration; 11:00am Shotgun Start. Event Sponsor: \$2,500; Food and Beverage Sponsor: \$1,000; Tee Sponsor: \$750; Foursome: \$500; Individual Golfer: \$125; Green Sponsor: \$100 to Citizens for Scott Ryan)

**Wednesday, August 30**

Rep. Adam Miller (D-Columbus) fundraiser, Condados Downtown, 132 S. High St., Columbus, 5 p.m., (Sponsor: \$500 or Suggested Donation: \$250 to Miller for Ohio)

#### **Thursday, August 31**

Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Citizens for Bill Beagle and Peterson for Good Government)  
Sen. Gayle Manning (R-N. Ridgeville) fundraiser, Willoway Nursery, 4535 Center Rd. (Route 83), Avon, 5:30 p.m., (\$500 Lilac Sponsor - includes 6 tickets; \$400 Hydrangea Sponsor - includes 4 tickets; \$200 Rose Sponsor - includes 2 tickets; \$125 per Couple | \$75 per Person to Committee to Elect Manning)

#### **Sunday, September 10**

Rep. Marlene Anielski (R-Walton Hills) Pig Roast Clam Bake fundraiser, Heidelberg Distributing Company, 9101 E. Pleasant Valley Road, Independence, 2 p.m., (Sponsor: \$1,000; Host: \$500; Couple: \$140; Individual: \$75; Dozen Extra Clams: \$15 to Friends of Marlene B. Anielski)

#### **Tuesday, September 12**

Democratic gubernatorial debate, Martins Ferry High School, 5000 Ayers Limestone Rd., Martins Ferry  
House Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Athletic Club, Gold Rm., 136 E. Broad St., Columbus, 5 p.m., (Chair: \$5,000; Sponsor: \$2,500; Host: \$1,000; Guest: \$500 to Committee to Elect Cliff Rosenberger)

#### **Wednesday, September 13**

Rep. Jim Hughes (R-Columbus) fundraiser, Plank's Caf~~e~~, 743 Parsons Avenue, Columbus, 5 p.m., (Platinum Level - \$2,500; Gold Level - \$1,500; Silver Level - \$1,000; Bronze - \$500 or \$350 per person to Committee for Jim Hughes)  
Rep. Mark Romanchuk (R-Mansfield) fundraiser, Little Palace, 240 S. 4th Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Romanchuk for State Rep)

#### **Thursday, September 14**

Rep. Kirk Schuring (R-Canton) fundraiser, Pro Football Hall of Fame, 2121 George Halas Dr NW, Canton  
Sen. John Eklund (R-Chardon) golf outing fundraiser, Kirtland Country Club, 39438 Kirtland Road, Willoughby, 10 a.m., (10:00am Brunch, 11:00am Golf. Friends of John Eklund)  
Sen. Kevin Bacon (R-Minerva Park) fundraiser, Cheney residence, 6988 Greensward Road, New Albany, 6 p.m., (\$1,000 Host | \$500 Sponsor | \$250 per Attendee to Citizens for Kevin Bacon)

## **Friday, September 15**

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**Rep. Bob Cupp (R-Lima) golf outing fundraiser, Tamarac Golf Course, 500 N. Stevick Road, Lima, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Sponsor: \$1,000; Tee Sponsor: \$500; Foursome: \$400; Green Sponsor: \$350; Lunch Sponsor: \$250; Individual Golfer: \$125 to Cupp for State Representative Committee)**

## **Monday, September 18**

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**Sen. Cliff Hite (R-Findlay) golf outing fundraiser, Eagle Rock Country Club, 211 Carpenter Rd., Defiance, (The Committee to Elect Cliff Hite)**

## **Tuesday, September 19**

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**Rep. Tavia Galonski (D-Akron) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Tavia Galonski)**

## **Wednesday, September 20**

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**Rep. Brian Hill (R-Zanesville) and Rep. Al Landis (R-Dover) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Brian D. Hill for State Representative and/or Friends for Allen Landis)**

**Rep. Andy Thompson (R-Marietta) and Rep. Wes Goodman (R-Cardington) fundraiser, The Keep, 50 W. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Andy Thompson for State Representative and/or Friends of Wes Goodman)**

## **Thursday, September 21**

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**Republican Senate Campaign Committee fundraiser, Basil's on Market, 312 N Patterson Boulevard, Dayton, 5:30 p.m., (\$5,000 Event Chair | \$2,500 Event Co-Chair | \$1,500 Event Sponsor | \$1,000 Event Host | \$500 Individual to RSCC)**

## **Monday, September 25**

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**Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 16405 U.S. Highway 23, Ashville, 11 a.m., (11:00am Registration and Lunch; 12:00pm Shotgun Start. Event Sponsor: \$1,500; Green Sponsor: \$750; Foursome: \$500; Individual Golfer: \$125; Hole Sponsor: \$100 to Friends of Gary Scherer)**  
**Sen. Frank LaRose (R-Hudson) golf outing fundraiser, Firestone Country Club, 452 East Warner Road, Akron, 11:30 a.m., (Lunch & Range Time 11:30am. Tee times starting at 1:05pm. \$300 Lunch Only | \$1,000 Lunch and Golf to LaRose for Ohio)**

## **Thursday, September 28**

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**Sen. President Larry Obhof (R-Medina) shotgun and pig roast fundraiser, Hill'n Dale Club, 3605 Poe Road, Medina, 2 p.m., (2:30-3:00pm - Sign in/Registration/ Meet and greet with Senator Obhof in the Hill'n Dale Lodge; 3:00 pm - Clay Shooting: 5-Stand with Group or Optional Course on your Own. 5:00-6:00pm - Dinner. \$500 Distinguished Expert/Station Sponsor: \$250 Sharp Shooter: \$150 First Class: \$100 Marksman: \$75 Sponsor to Citizens for Obhof)**

#### **Friday, September 29**

**Sen. Joe Uecker (R-Loveland) Day at the Races fundraiser, Belterra, 6301 Kellogg Rd., Cincinnati, 12:30 p.m., (11:30am Park Opens | 12:30pm Lunch | 1:45pm Live Racing Begins. \$1500 Triple Crown | \$1,000 Champion | \$750 Winner's Circle | \$500 Thoroughbred | \$250 Jockey Club | \$100 per Attendee The Committee to Elect Joe Uecker)**

#### **Sunday, October 1**

**Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)**

#### **Monday, October 2**

**OHROC Chairman's Cup golf outing fundraiser**

#### **Wednesday, October 4**

**Sen. Troy Balderson (R-Zanesville) & Sen. Stephanie Kunze (R-Hilliard) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Troy Balderson for State Senate and Citizens for Stephanie Kunze)**

#### **Thursday, October 5**

**Sen. Louls Terhar (R-Cincinnati) fundraiser, Schilderink residence, 9675 Cunningham Road, Cincinnati, 6 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)**

#### **Sunday, October 8**

**Republican gubernatorial candidate forum, Genoa Baptist Church, 7562 Lewis Center Rd., Westerville, 7 p.m., (Sponsored by Citizens for Community Values and Salem Media of Ohio)**

#### **Wednesday, October 11**

**Rep. Terry Johnson (R-McDermott) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Terry Johnson for State Rep)**

Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Committee to Elect Cliff Rosenberger)  
Sen. Lou Terhar (R-Cincinnati) fundraiser, Fleming residence, 2374 Brixton Road, Columbus, 5:30 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

#### **Friday, October 13**

OSBA Law & Media Conference, Ohio State Bar Association, 1700 Lake Shore Dr., Columbus, 9:30 a.m., (Registration at 8:30 a.m. For more information contact Halle Malcomb, hmalcomb@ohiobar.org)

#### **Tuesday, October 17**

Republican Senate Campaign Committee pig roast fundraiser, Land Grant Brewery, 424 W. Town St., Columbus, 5 p.m., (\$10,000 Whole Hog Sponsor | \$5,000 Half Hog Sponsor | \$2,500 Loin Sponsor | \$1000 Bacon Sponsor | \$500 per Attendee to RSCC)

#### **Wednesday, October 18**

Sen. Stephanie Kunze (R-Hilliard) fundraiser, Scioto Country Club, 2196 Riverside Dr., Columbus, 5:30 p.m., (Event Sponsor \$1000, Event Host \$500, \$150 per couple, \$100 per individual to Citizens for Stephanie Kunze)

#### **Thursday, October 19**

Sen. Bill Beagle (R-Tipp City) shooting fundraiser, Vandalia Range and Armory, 100 Corp Center Drive, Vandalia, 5:30 p.m., (Please make checks payable to Citizens for Bill Beagle)

#### **Wednesday, November 1**

Rep. Craig Riedel (R-Defiance) and Rep. Kristina Roegner (R-Hudson) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Craig Riedel and/or Kristina Daley Roegner for Ohio)

#### **Wednesday, November 29**

Ohio House Republican Organizing Committee fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to OHROC)

#### **Wednesday, February 28**

Ohio Cable Telecommunications Association Legislative Luncheon, Renaissance Hotel, 50 N. 3rd St., Columbus, 12 p.m.

**Monday, June 4**

**Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740  
Worthington Rd., Westerville**

**Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740  
Worthington Rd., Westerville**

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**Volume #86, Report #160 -- Friday, August 18, 2017**

**Reducing Regulations Among Legislative Priorities For Fall**

With the biennial budget, veto overrides notwithstanding, in the rearview mirror, Senate President Larry Obhof hopes his chamber will work on legislation designed to make life easier for businesses.

One way the Medina Republican plans to do that is not by adding new laws, but by removing or simplifying old ones.

"We'll focus on getting government red tape and regulation out of the way and hopefully continue to build our economy and build off the improvements we've made the last few years," Sen. Obhof said this week.



Sen. Obhof

One of the priorities for the Senate Republicans leader includes finding bits of regulation that are burdensome for business and aren't working the way they're supposed to. He said he wanted each member of his caucus to find examples of failing regulation and work to fix them, whether by eliminating language or streamlining it.

"We talk a lot on the campaign trail, both parties do, about getting red tape and regulations out of the way," he said. "When you get to work, people start to pass new laws and regulations."

"We ought to all go out and find one example of something that's not working right and get rid of it," he continued. "They don't have to be big things, necessarily, but the more things like that that we do, you're slowly but surely making it easier for some small business owners."

Even if the change doesn't affect every Ohioan, he said, it could be significant for the few it does affect.

"I think we're going to be pretty serious this fall about trying to get rid of parts of the Ohio Revised Code, scale them back, make them easier to understand, easier to read, removing some of the hurdles government has put in the way of our job creators," he said.



Other priorities for the fall include economic development, the opioid crisis and workforce development, he said.

The Senate will be in session Tuesday, with the agenda expected to focus heavily on budget veto overrides. More override votes are possible in September, Sen. Obhof said.

The chamber will also see some committee action Tuesday, including the Senate Health, Human Services and Medicaid Committee, which will hear a bill (SB 164) to ban abortions based on a Down syndrome diagnosis.

On the House side, the post-budget plan is still in the works, said Brad Miller, a spokesman for Speaker Cliff Rosenberger (R-Clarksville).

"Legislative priorities for the fall are still under consideration and will be the product of conversations and input between the Speaker and members of the caucus," Mr. Miller said in an email.

Some of the House's work could stem from the speaker's task forces, some of which have begun their work, including one on education and poverty (See Gongwer Ohio Report, July 17, 2017) and another on Alzheimer's and dementia (See Gongwer Ohio Report, August 8, 2017).

### **High Court Sets Oral Arguments In Abortion Cases**

The state's highest court will hear two high-profile abortion cases in September, including one that has triggered calls for a justice's recusal.

Both cases stem from abortion-related provisions in the 2014-15 state budget (HB59 130<sup>th</sup> General Assembly).

The first case, set to be heard on Sept. 12, was brought to the high court by the Department of Health, which has defended the constitutionality of restrictions imposed on a Toledo abortion clinic. (Docket)

The case is the result of a 2014 department decision to shutter the city's last abortion clinic, Capital Care Network of Toledo, after it determined a patient transfer agreement it had inked with an Ann Arbor hospital ran afoul of state law because the facility was not "local."

However, both the Lucas County Common Pleas Court and the Sixth District Court of Appeals sided with the clinic, which has remained open.

ODH argues that the decision to shutter the clinic was lawful, the one-subject rule was not violated by placing the requirement in the budget, the clinic did not raise an "undue burden" challenge and the ambulatory requirement is constitutional.

The "undue burden" standard, which was used by the lower courts to strike down the requirement, was created by the U.S. Supreme Court in the case of *Planned Parenthood v. Casey*.

However, ODH argues that the high court should not view the case through that lens because the clinic did not raise the issue.

"The court should vacate the undue burden holding and set the issue aside, as the clinic never raised such a challenge. And as part of not raising it as a legal issue, the clinic also never presented any factual evidence to meet its burden to overcome the law," ODH wrote in a court filing.

"Vacating the holding still allows this clinic or any other abortion clinic to raise an undue burden challenge in a separate case, and indeed, at least two clinics are doing so in a federal case."

Among the clinic's arguments are that the 2013 budget violated the single-subject rule, that the provision amounts to an undue burden and that it is unconstitutional.

"The three transfer agreement provisions were introduced late in the legislative process as riders to the budget bill with little or no opportunity for public debate. At the end of the state budget process Ohio legislators buried controversial anti-abortion provisions in the several thousand pages of a budget bill that was sure to pass," the brief reads.

"The written transfer agreement provisions, which are inherently controversial and of significant constitutional import, were not debated and approved during a fair and open legislative process. HB59 frustrates the single-subject rule's purpose of preventing logrolling and ensuring 'a more orderly and fair legislative process.'"

The case already stirred controversy after Justice Sharon Kennedy spoke at a Greater Toledo Right to Life event in March. That led NARAL Pro-Choice Ohio to unsuccessfully call on her to recuse herself in the case.

This week, Capital Care attorney Jennifer Branch made an official request for Justice Kennedy's recusal in a filing with the court.

"Since this court accepted jurisdiction in this case, Justice Kennedy's impartiality in deciding this case involving an abortion provider has been reasonably questioned by various Ohioans due to her connections to anti-abortion and pro-life organizations," the attorney wrote.

ProgressOhio also filed an ethics complaint against Justice Kennedy that was recently dismissed.

The second case, slated for oral arguments on Sept. 26, was also brought forward by the state after two lower courts found a Cleveland-based clinic had standing to sue over several abortion-related provisions in the budget bill. (Docket)

Along with the transfer agreement provision, Preterm-Cleveland has also taken issue with a ban on public hospitals from entering into those agreements and a requirement that doctors inform pregnant women about a detectable heartbeat.

"Preterm's change of conduct to avoid running afoul of these new requirements constitutes injury-in-fact for standing purposes, traceable to the enactment of HB59," its brief reads. "Its requested relief - an order declaring that HB59 violates the one-subject rule and severing and enjoining the provisions it has shown create disunity - will redress Preterm's injury and cure the identified constitutional defect."

The state, however, argues that the abortion clinic does not have standing to sue because it has not been able to demonstrate that it has been injured by the budget provisions.

"Ohio's Constitution allows courts to hear only justiciable controversies involving parties with standing, so relaxing the rules is unconstitutional. Applying the rules here is straightforward: Preterm must show standing as to each provision it challenges, and it fails on all counts," the state's brief reads.

### **Few Districts Meet Recommendation To Delay Start Of School Day**

Most students heading back to school over the next few weeks won't be reporting to first period any later than in past years, despite district attempts to accommodate research that shows later start times can be beneficial to student health.

Various districts throughout the state report studying later start times in the last few years, but a recent accounting of states where schools have made changes doesn't include Ohio.

Schools in at least 19 states delayed starting bell times for the new academic year, according to a Start School Later report. They include a handful of schools in the surrounding states of Michigan, Pennsylvania, and Indiana.

"Every year we see more and more schools delaying bell times to improve student sleep, health, and learning," Start School Later Executive Director Terra Ziporyn Snider said. "Not all of them will be starting middle and high schools at 8:30 or later, as health professionals recommend, but they are moving to schedules that are healthier and safer for many more students."

The American Academy of Pediatrics, National PTA, American Medical Association, the Centers for Disease Control and Prevention, the National Association of School Nurses, and the Society of Pediatric Nurses are among the groups backing later start times.

Although Ohio doesn't keep track of when districts are starting the day, Start School Later has determined that about 7:30 a.m. is the most common time for middle and high school students to head to first period. The national average is 7:59 a.m., according to the CDC.

Those times conflict with research that shows students, particularly teens, get their best sleep between 11 p.m. and 8 a.m.

Stacy Simera, a spokeswoman for Start School Later, said students who lack sleep are more likely to be obese, have trouble focusing in school, suffer sports injuries, be involved in car accidents, and become addicted to drugs, among other issues.

The connection between additional sleep for teens and improved health and academic outcomes has caught the attention of district leaders, but resulting changes to bell schedules in Ohio have been few and far between. Districts often point to increased costs as the reason for maintaining the status quo.

Olentangy Local School District, which is the seventh largest district the state, is among those that studied the possibility of later start times over the last few years, but chose not to move forward with them. It announced over the summer that changes would require purchasing an additional 141 school buses at a cost of \$12.5 million and adding \$7.8 million in annual operating costs.

Like others who've looked into making moves, the district also determined that parents of elementary students don't support earlier start times for their students so that later middle and high school times can be accommodated.

Bus schedules and concerns about child care "are two of the principal challenges in terms of trying to move the start times," said Tom Ash, director of governmental relations for the Buckeye Association of School Administrators.

"You have districts that, in order to economize (busing), have what are known as double, triple and even quadruple runs, so they might even be serving two, three or four schools with kids of different ages," he said. "So that becomes an issue."

Mr. Ash said districts aren't dismissing the research on earlier start times, they're just simply running into roadblocks to implement them.

There are districts that have modified start times without increased costs, though, Ms. Simera contended. If there are costs, she said that they shouldn't be a deal breaker.

"Not only can every school afford healthy start times, schools can no longer afford not to. As an Ohio taxpayer and mental health clinician, it concerns me that we are ignoring such low-hanging fruit in fighting two Ohio-specific epidemics: obesity and substance abuse - both of which are correlated with chronic deficient sleep," she said.

"While we know there are many factors involved in obesity and substance abuse, we should certainly address one of the known factors that we can greatly influence - namely healthy sleep."

According to Start School Later, districts that have pushed back start times without incurring additional costs include Hudson, Dublin, Kenston, and Perrysburg schools.

Westlake and Parma schools also pushed back start times when they eliminated busing for high school students.

### **Ohio Unemployment Rate Moves Up To 5.2%**

The biggest increases occurred in leisure and hospitality (+5,200), local government (+3,900) and financial activities (+1,200) sectors. July's biggest losses were in goods-producing industries (-2,700) and business services (-2,400).

Over the last 12 months, Ohio added 47,500 jobs, led by private service providers (37,700) and construction (5,900), ODJFS reported. The larger drops occurred in trade, transportation, and utilities (-4,900) and durable goods manufacturing (-1,800).

Rea S. Hederman Jr., executive vice president at the Buckeye Institute, said that along with the labor market dip, Ohioans stopped looking for work as labor force participation fell to national levels at 62.9%.

"In addition, private sector job opportunities continued the stream of bad news, with 2,500 fewer private sector jobs in July compared to June," he said.

"Overall, the Ohio July jobs report is a sober one," Mr. Hederman said. "While one month of data can be a statistical anomaly, policymakers should begin considering measures to increase economic opportunities in Ohio's private sector."

Policy Matters Ohio observed that without the growth in public sector jobs, the state would have lost positions last month. The group reiterated its criticisms of GOP tax policies in recent years.

"State tax giveaways to corporations and the wealthy have not produced the promised job growth. Instead, we have lost the revenue we need to invest in policies like need-based college financial aid that help build the middle class," PMO researcher Hannah Halbert said. "Federal policymakers would be well-served by studying Ohio's performance before implementing tax changes that overwhelmingly benefit the wealthiest in the nation."

### **Roegner Announces Senate Bid; Buckeye Institute Opines On Potential Veto Overrides...**

Rep. Kristina Roegner announced her intent to run for the Senate seat currently occupied by term-limited Sen. Frank LaRose.

The Hudson Republican, who is term limited in the House, said her goals if elected to the Senate would be much the same as her priorities in her current seat representing the 37<sup>th</sup> House District.

"It would absolutely be the same as it's been in the House," she said. "Continue to help set a stage that's inviting to businesses in Ohio and that includes regulatory reform which I've done a lot of in individual industries."

Making the tax climate more competitive with other states by lowering taxes and strengthening the education system would also be priorities, the representative said. So too would be legislation like her pending cosmetology bill (HB 189) which she said would "make it easier and smoother for people to get jobs and not jump through so many hurdles in government."

"I'm going to continue the work we've started and continue that onto the Senate," she said. "I want to make sure government doesn't waste taxpayer dollars. If we can spend taxpayer dollars smarter and get more for it that's what we need to do."

The 27<sup>th</sup> Senate District encompasses all of Wayne County and parts of Summit and Stark. Other incumbent House members whose districts align with that district include term-limited Rep. Marilyn Slaby and freshman Rep. Scott Wiggam.

Rep. Roegner reported receiving \$78,000 since January in her recent semiannual report, leaving her with about \$78,700 in cash on hand.

**Veto Overrides:** The Buckeye Institute is weighing in on several outstanding budget veto overrides the Senate may take up next week.

Senators are expected to return Tuesday to consider some of the 11 overrides the House approved in July. How many overrides and which specifically the chamber will choose to take up isn't clear. (See Gongwer Ohio Report, August 16, 2017)

Among overrides the Institute is urging senators to approve are the governor's vetoes of the Healthy Ohio waiver and of language creating legislative oversight of Medicaid spending increases.

But the group is asking senators to let stand the governor's veto on the Medicaid managed care sales tax replacement plan.

"We agree with Gov. Kasich's veto of the proposed replacement for local Medicaid sales tax revenues and we were disappointed that the Ohio House overrode the governor's veto," said Greg Lawson, an institute research fellow. "This proposal is a tax on insurance plans and as with most government taxes, it is highly unlikely that this new tax will be 'temporary.' It is time for local governments to go to their voters and convince them of the need to raise local taxes for local services rather than blaming Columbus for their inability to spend wisely."

**Issue 2:** Proponents of the controversial Issue 2 - also known as the "Drug Price Relief Act" - praised ballot language approved by the Ballot Board Thursday.

Yes on Issue 2 and its counterpart, Ohioans Against the Deceptive Rx Ballot Issue, negotiated compromise ballot language that the board then signed off on with little discussion. (See Gongwer Ohio Report, August 17, 2017)

Both sides said the language presented an accurate description of the November ballot issue, which would prohibit the state from purchasing prescription drugs for prices beyond what the U.S. Department of Veterans Affairs pays.

"Voters in Ohio are well-informed, smart and angry at the greedy drug companies that have been price-gouging the sick and suffering, and putting profits before patients," said Dennis Willard, a spokesman for the proponents. "The language is simple and straightforward just like our plan to lower drug prices for 4 million Ohioans and save taxpayers \$400 million a year."

Opponents claim the statute, if adopted by voters, would actually drive the cost of drugs higher.

### **OSU Study: \$152M In Lost Property Value Thanks To Algal Blooms...**

Harmful algal blooms in Ohio have cost homeowners \$152 million in lost property value over the last six years, according to researchers.

That figure comes from a new Ohio State University study that examined the financial impacts of blooms in Buckeye Lake and Grand Lake St. Marys. A second study quantified the financial impact of blooms to sport fishing revenue generated by Lake Erie.

OSU bills the reports, published respectively in *Ecological Economics* and the *Journal of Environmental Management* as the first of their kind to put a dollar figure on the impact of algae. Researchers said they hope the studies will equip lawmakers with new information to create adequate algae prevention and cleanup resources.

"Our biggest takeaway is that efforts to prevent and mitigate algal blooms have real, tangible benefits for Ohioans, including property values," said Allen Klaiber, associate professor of agricultural, environmental and development economics at OSU.

The first study examines property values in the two interior lakes, finding that total values fell \$152 million from 2009-2015. Sales prices for homes within one-third of a mile from the lake fell 11-17% while adjacent homes saw prices dropping more than 22%, the report found.

In Buckeye Lake the drop was more severe, with the loss of \$101 million in home sales over six years. Grand Lake St. Marys saw a \$51 million loss.

Regarding Lake Erie, which fuels a \$1.7 billion tourism industry, simulations showed a "moderate" bloom would result in a 10-13% decrease in fishing license sales within 12 miles of the lake.

A severe bloom, akin to what occurred in 2011, would lead to 3,600 fewer licenses sold and as much as \$5.6 million in lost revenue in a single summer, the researchers determined.

**Governor Appointment Reaction:** The Ohio Environmental Council praised Gov. John Kasich's recent appointment of Sarah Spence to the Public Benefits Advisory Board. Ms. Spence is OEC's director of government affairs and was appointed this week.

"The board works with the director of the development services agency to ensure energy services are provided to low-income consumers in Ohio in an affordable manner," said Aryeh Alex, the OEC's vice president of public affairs. "Sarah is the right person for the job, and will add a strong environmental voice to the governor's administration."

**Rover:** A cease-and-desist order from the government of West Virginia was recently lifted, clearing the Rover Pipeline project to continue. That's over the objections of environmental groups who argue the project is harming the environment.

Meanwhile, a new *Bloomberg* analysis determined that the Rover project has set a new record for environmental violations. The publication determined the project, since its approval in February, has racked up more violations than any other major interstate natural gas pipeline built in the last two years.

Rover filings showed 104 negative inspection reports, according to *Bloomberg*. The next closest was the Williams' Virginia Southside Expansion which reported 26 violations.

To be fair, the 710-mile Rover is a longer pipeline than other projects included in the analysis. Still, the next longest - the 515-mile Enbridge Sabal Trail - reported 18 violations.

Energy Transfer Partners, the company behind the project, said it is working with regulatory agencies at all levels to meet safety and environmental regulations. But friction continues between the company, opponents and regulatory agencies in Ohio and beyond. (See Gongwer Ohio Report, August 7, 2017)

### **Report Links STEM Skills, Quality Pre-K; President Approves GI Bill Expansion...**

Business and military leaders are calling on state leaders to focus on early childhood education to ensure students are better prepared to enter the future workforce.

They joined Council for Strong America this week to release a new report highlighting the correlation between high-quality Pre-K and STEM skills.

The analysis also details projections for STEM workforce growth - an area that military and tech business stakeholders said during a Dayton press conference is a major concern. Health and computer technology industries are expected to grow by as much as 37% nationwide in the coming years, they said.



Currently, 65% of eighth graders aren't proficient in math and 60% aren't proficient in science, the report shows. About one-third of college students, meanwhile, require remediation in math or English.

"As a result, employers - both in the private sector and the military - are struggling to find the STEM skilled workforce they need," the authors of the report wrote. "That is why business and military leaders in Ohio are calling on policymakers to invest more in high-quality early education where STEM skills take root."

According to the report, research shows that individuals with early exposure to math have improved abilities in the subject area later on and that early learning supports cognitive abilities as well as social and emotional skills that are beneficial in STEM career fields.

"The young people we will seek to recruit for the military, postsecondary education, and private sector jobs in less than 15 years should be entering pre-K today," former Adjutant General Deborah Ashenhurst said in a statement. "A greater investment in high-quality pre-K will have lasting impact for our children, for Ohio, and for our nation."

**GI Bill:** The president this week signed bipartisan legislation to expand education opportunities to post-9/11 veterans and restore GI Bill benefits to those who attended now-defunct technical colleges.

The bill removes a 15-year time limit on the benefits, allowing veterans and their dependents to use them for life. Among other things, it also extends eligibility for reservists, provides full benefits for Purple Heart recipients and increases GI Bill payments by \$2,300 per year for veterans with less than 12 months of active service.

U.S. Sen. Sherrod Brown (D-Cleveland), who helped draft the measure, applauded its enactment.

In particular, he pushed for provisions that restore benefits to veterans who attended shuttered career technical colleges and alert veterans to schools offering priority enrollment

"Ohio veterans deserve better than to have the rug pulled out from under them by for-profit colleges," Sen. Brown said in a statement. "This bill is an important step towards rectifying the fraudulent practices of these schools and restoring and expanding the GI benefits our veterans have earned."

The measure also expands eligibility for the Department of Veterans Affairs' Yellow Ribbon Program to spouses and children of service members who died in combat. The program that helps students avoid out-of-pocket college costs above their GI Bill benefits is currently available only to veterans and spouses and children of service members.

**Insurance:** An insurance checklist for college students and their parents is now available from the Department of Insurance.

The checklist details insurance options for illness and injury, dental and eye care, personal protections and liability, renters and vehicles.

"Life away from home is a great opportunity for young adults to learn and grow, but it also presents considerations and challenges," ODI Director Jillian Froment said. "It is important that students and parents conduct an insurance review and consider including an insurance agent in the process."

**Survey:** The Ohio Department of Education is seeking input on proposed updates to Ohio's model curriculum for English and math in grades K-12. An online survey will be open through Sept. 13.

The model curriculum, which is set to go before the State Board of Education for approval this fall, will serve as a guide for teachers to help them better understand the knowledge and skills required under Ohio's Learning Standards - the basis for state tests.

#### **Agency Briefs: RFP Issued For Marijuana Monitoring System; AG; SOS; EPA; BWC; MHAS; DNR**

The state's Medical Marijuana Control Program is seeking a contractor for a system to monitor video surveillance at growers, processors and dispensaries.

The Department of Commerce issued the request for proposals this week as the program's rules, which cleared the Joint Committee on Agency Rule Review at the end of July, were officially filed.

The rules go into effect Sept. 8. They cleared JCARR after a nearly yearlong development process that began following the program's enabling legislation, which went into effect last fall. (See Gongwer Ohio Report, July 31, 2017)

The RFP for the video management system requires one that can accept feeds from any camera operator and allow the state to see inside facilities at any time.

"Given an initial camera population of over 1,000 cameras across an Ohio medical marijuana entity facility population of 100+ facilities, the State requires an efficient means of monitoring camera operational status as well as an efficient path for identifying a particular camera at a particular facility for real-time camera viewing," the state said in its description.

**Attorney General:** Mike DeWine and attorneys general from 49 other states and territories urged Congress to amend the Communications Decency Act of 1996 to clarify that states and local governments can investigate and prosecute facilitators of child sex trafficking wherever they operate, including online.

"The proposed amended language to the Communications Decency Act will help to ensure that citizens and children are effectively protected throughout the entire country,

in all courts," Attorney General DeWine said in a statement. "The intention of the Communications Decency Act is to protect children from indecent material online. It was never intended to place facilitators of child sex trafficking outside the reach of law enforcement."

Courts have interpreted the current language to allow only federal authorities to take action against companies that facilitate sex trafficking. The AGs urged in their letter for the law to be clarified.

**Secretary of State:** Jon Husted announced that all filings required to start or maintain a business in Ohio can now be submitted online. Owners can also submit all Uniform Commercial Code statements and certified search requests through the web, he said.

"Since day one, our office has committed itself to working on behalf of job creators and entrepreneurs to make it easier to start and maintain a business in Ohio," Secretary Husted said in a statement. "By improving the way our office does business, we are helping companies cut costs, save time, and reduce administrative burden so they can focus on providing quality services and products, as well as create jobs."

The secretary's office also announced that 8,800 new entities filed to do business in the state in July, up 1,279 compared to the previous July. A total of 71,979 entities have filed in Ohio this year.

**Ohio EPA:** The agency will hold a public hearing next week to receive comments on proposed water quality standards, including standards covering pesticides, dredged material and E. coli.

The hearing will begin at 10:30 a.m., Wednesday, in the Ohio EPA Conference Center at 50 West Town Street in Columbus.

Written comments can be sent to Rules Coordinator, Ohio EPA Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049, or emailed to [dsw\\_rulecomments@epa.ohio.gov](mailto:dsw_rulecomments@epa.ohio.gov), through Aug. 23.

**Workers' Compensation:** The bureau announced that seven employers and injured workers who attempted to defraud the agency were convicted in July. The BWC's special investigations department has totaled 90 convictions so far this year.

"Workers' compensation fraud raises the cost of the system for everyone involved," said SID Director Jim Wernicke. "I hope these latest convictions serve as a reminder to those attempting to steal from BWC: We have investigators all over the state. We will find you, bring you to justice and make you repay the funds you illicitly acquired."

**Mental Health and Addiction Services:** The department said it is conducting a needs assessment with treatment providers as part of activities connected to the federal 21<sup>st</sup> Century CURES Act. The department is collecting information on what providers are doing and what needs they have for treating people with opioid-related disorders.

The assessment runs through Sept. 8. Providers who did not receive invitations can contact Laura Potts at [laura.potts@mha.ohio.gov](mailto:laura.potts@mha.ohio.gov).

**Natural Resources:** The department announced it will hold special deer hunts at six state nature preserves across the state. Drawings will be held for the hunts, and entries cost \$5.

### **Governor's Appointments**

**Ohio University Board of Trustees:** Stephen P. Casciani of Delaware (Delaware Co.) for a term beginning Aug. 18 and ending May 13, 2026.

### **Supplemental Agency Calendar**

#### **Tuesday, August 22**

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Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 2 p.m.

#### **Thursday, August 24**

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BWC Board of Directors, Rm. 3, Level 2, 30 W. Spring St., Columbus, 8:30 a.m. (The Investment Committee will meet 8:30 to 10:30 a.m.; the Actuarial Committee 10:30 a.m. to noon; the Medical Services & Safety Committee 1 to 2 p.m.; the Governance Committee 2 to 2:30 p.m.; and the Audit Committee 2:30 to 4 p.m. The Actuarial, Governance and Audit Committee meetings may begin earlier if the preceding meeting adjourns earlier than scheduled.)

#### **Friday, August 25**

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BWC Board of Directors, Rm. 3, Level 2, 30 W. Spring St., Columbus, 8 a.m.

#### **Monday, August 28**

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Southern Ohio Agricultural & Community Development Foundation, 100 S. High St., Hillsboro, 9:30 a.m.

#### **Wednesday, September 13**

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Petroleum Underground Storage Tank Release Compensation Board, Suite 1500, 50 W. Broad St., Columbus, 10 a.m.

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## **Daily Activity Planner for Saturday, August 19- Monday, August 21**

### **Legislative Committees**

**Monday, June 4**

~~Canceled: Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.~~

### **Agency Calendar**

**Monday, August 21**

Controlling Board, North Hearing Rm., Senate Bldg., Columbus, 1:30 p.m.

### **Event Planner**

**Saturday, August 19**

Ohio Democratic Women's Caucus Luncheon, Hilton Columbus Downtown, 401 N High St., Columbus, 11:30 a.m., (Keynote Speaker is Kathleen Sebelius. For more information contact Rachel Rossi (rachel@ohiodems.org))

**Monday, August 21**

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Urbana Country Club, 4761 US-36, Urbana, (9:00 am Registration | 10:00 am Shotgun Start | Lunch at the turn on the go | 2:30 pm Short Program. \$1,000 Tournament Sponsor; \$600 Eagle Sponsor; \$200 Hole Sponsor; \$100 Golfer)

OHROC Lake Erie Boat Cruise and Reception with Speaker Cliff Rosenberger (R-Clarksville), Rep. Steve Arndt (R-Port Clinton), and Rep. Bill Reineke (R-Fremont), Catawba Island Club, 4235 E. Beach Club Road, Port Clinton, 5:30 p.m., (5:30pm Arrive at Catawba Island Club; 6:00pm Depart on Burger Yacht "Gemini"; 8:00pm Reception. Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000; Guest: \$500 to OHROC)

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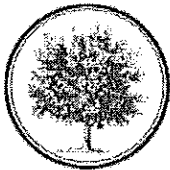
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### **The Buckeye Institute Experts Weigh-in on Senate Veto Overrides**

**Columbus, OH -** The Buckeye Institute's experts commented on actions taken by the Ohio Senate regarding Governor John Kasich's vetoes in the state's biennial budget.

#### **Medicaid Managed Care Sales Tax Replacement Plan**

"We are pleased that the Ohio Senate did not override Governor Kasich's veto of the Medicaid managed care organization sales tax replacement plan and we hope it is not resurrected at a future point," said **Greg R. Lawson**, research fellow at The Buckeye Institute. "This is a difficult decision, given that county and local officials are clamoring for more taxpayer dollars, however, it is the right one. This is not the time to raise taxes on health insurance plans, but it is time for local governments to justify their local spending to local taxpayers."

#### **Healthy Ohio Waiver**

"It is disappointing that today the Senate did not act to join the House in overriding Governor Kasich's veto of the Healthy Ohio waiver," said **Rea S. Hederman Jr.**, executive vice president at The Buckeye Institute and a nationally recognized expert in health care policy. "With Washington's failure to act on health care reform, the Healthy Ohio waiver would empower Medicaid recipients to obtain better care, put Ohio's Medicaid program on sounder financial footing, and ensure that needy Medicaid enrollees have access to good medical care."

Hederman continued, "The Senate has until the end of the legislative session to reconsider and override the governor's veto of Healthy Ohio. In addition, the Ohio House also has until the end of the legislative session to override the governor's veto of the Medicaid expansion freeze, which the Senate could then act on. These two actions would further ensure that Medicaid is made sustainable and is focused on the truly needy."

#### **Legislative Oversight of the Controlling Board**

"The Senate acted wisely and deserves a round of applause for joining the House in restoring legislative oversight to the Controlling Board," said **Rea S. Hederman Jr.**, executive vice president at The Buckeye Institute and a nationally recognized expert in health care policy. "The Senate's action guarantees that the full legislature will have the final say in approving major new spending programs and all the strings that come with them."

###

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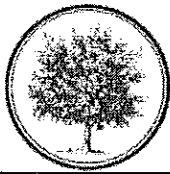
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### **The Medicaid Pac-Man Keeps Eating-Up Your Tax Dollars**

**By Greg R. Lawson**  
**August 23, 2017**

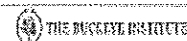
According to the Office of Budget and Management's **first monthly report** from the new fiscal, the Pac-Man of the state budget, Medicaid continues to grow.

The table below, from the OBM report, shows that Medicaid spending in July of 2017 (the first month of Fiscal Year 2018) was \$271.9 million more than the spending in July of 2016. That is a 16 percent increase and one of the largest increases in state government.

**Table 4**  
**GENERAL REVENUE FUND DISBURSEMENTS**  
**ACTUAL FY 2018 VS ACTUAL FY 2017**  
**(\$ in thousands)**

| Functional Reporting Categories<br>Description | MONTH            |                  |                  |               | YEAR-TO-DATE      |                   |                  |               |
|------------------------------------------------|------------------|------------------|------------------|---------------|-------------------|-------------------|------------------|---------------|
|                                                | JULY<br>FY 2018  | JULY<br>FY 2017  | \$<br>VAR        | %<br>VAR      | ACTUAL<br>FY 2018 | ACTUAL<br>FY 2017 | \$<br>VAR        | %<br>VAR      |
| Primary and Secondary Education                | 781,970          | 738,815          | 43,154           | 5.8%          | 781,970           | 738,815           | 43,154           | 5.8%          |
| Higher Education                               | 170,355          | 180,677          | (10,322)         | -5.7%         | 170,355           | 180,677           | (10,322)         | -5.7%         |
| Other Education                                | 7,952            | 8,317            | (365)            | -4.4%         | 7,952             | 8,317             | (365)            | -4.4%         |
| Medicaid                                       | 1,972,140        | 1,700,244        | 271,896          | 16.0%         | 1,972,140         | 1,700,244         | 271,896          | 16.0%         |
| Health and Human Services                      | 121,558          | 125,917          | (4,359)          | -3.5%         | 121,558           | 125,917           | (4,359)          | -3.5%         |
| Justice and Public Protection                  | 273,532          | 261,533          | 11,999           | 4.6%          | 273,532           | 261,533           | 11,999           | 4.6%          |
| General Government                             | 43,967           | 33,536           | 10,431           | 31.1%         | 43,967            | 33,536            | 10,431           | 31.1%         |
| Property Tax Reimbursements                    | 3,158            | 74               | 3,084            | 4171.5%       | 3,158             | 74                | 3,084            | 4171.5%       |
| Debt Service                                   | 228,477          | 244,405          | (15,928)         | -6.5%         | 228,477           | 244,405           | (15,928)         | -6.5%         |
| <b>Total Expenditures &amp; ISTV's</b>         | <b>3,603,109</b> | <b>3,293,519</b> | <b>309,590</b>   | <b>9.4%</b>   | <b>3,603,109</b>  | <b>3,293,519</b>  | <b>309,590</b>   | <b>9.4%</b>   |
| <b>Transfers Out:</b>                          |                  |                  |                  |               |                   |                   |                  |               |
| BSF Transfer                                   | 0                | 29,483           | (29,483)         | N/A           | 0                 | 29,483            | (29,483)         | N/A           |
| Operating Transfer Out                         | 500              | 169,738          | (169,238)        | -99.7%        | 500               | 169,738           | (169,238)        | -99.7%        |
| Temporary Transfer Out                         | 0                | 0                | 0                | N/A           | 0                 | 0                 | 0                | N/A           |
| <b>Total Transfers Out</b>                     | <b>500</b>       | <b>199,221</b>   | <b>(198,721)</b> | <b>-99.7%</b> | <b>500</b>        | <b>199,221</b>    | <b>(198,721)</b> | <b>-99.7%</b> |
| <b>Total Fund Uses</b>                         | <b>3,603,609</b> | <b>3,492,739</b> | <b>110,870</b>   | <b>3.2%</b>   | <b>3,603,609</b>  | <b>3,492,739</b>  | <b>110,870</b>   | <b>3.2%</b>   |

Source: Office of Budget and Management



Those numbers should frighten everyone.

Thus far, Medicaid spending continues to grow rapidly and consume all in its path. In fact, Medicaid spending growth was happening well before the misguided expansion in 2013, and the influx of three quarters of a million able-bodied adults into the program has added new stresses on the program.

And while Congress can't seem to get its act together on repealing and replacing Obamacare, the "free federal money," which of course, isn't really free, is being cut under the current law. Which means more cost to you through your state tax dollars and your federal tax dollars.

## **There's No Such Thing as Free Medicaid Dollars**

Someone once said there's no such thing as a free lunch. The same is true of Medicaid dollars. Whether the money is coming from the state or from the federal government, it is still your taxpayer dollars.

Medicaid is a joint state/federal program where both levels of government contribute tax dollars. The amount of federal tax dollars sent to individual states varies based upon population and poverty rates. The percentage of federal dollars spent in any state is known as the federal medical assistance percentage, or **FMAP**. For Ohio, the regular FMAP is **62.32 percent**. This means that for every dollar spent on non-expansion Medicaid recipients, Ohio puts in more than 37 cents and the federal government more than 62 cents. But remember, all that money is taxpayer dollars, so it is all being collected from you and me.

The government had to complicate matters, as governments often do, when it set a different FMAP for those qualifying under Obamacare's Medicaid expansion. Initially the federal government (again, using your tax dollars) would cover 100 percent of costs for the expansion population.

Sounds good, right? This is a vastly more generous reimbursement than the feds give for the rest of the Medicaid program, including for the elderly, disabled, and medically fragile children. The enhanced funding gave the illusion of the expansion being essentially free to the state, but, of course, just because the money is redistributed from D.C., doesn't mean it's not still your tax dollars.

However, the FMAP for those qualifying under Obamacare's Medicaid expansion was always intended to be temporary and it is scheduled to be phased down to 90 percent by 2020 and further still in the future. That means the state will be required to cover more of the costs over time.

## **Two Steps Forward, One Step Back**

In an effort to begin to get control of Medicaid spending, the General Assembly took some steps in the most recent biennial budget bill. Among these include: reforms to how much unexpected federal dollars the **Controlling Board** can spend without the assent of the full General Assembly and reasserting legislative control over expanding Medicaid to populations that aren't mandated under federal law.

These policy changes are good first steps in reigning in the Pac-Man of the Ohio budget and put Medicaid on a sounder financial footing.

Unfortunately, despite all its work during the budget process to include a requirement that the Kasich Administration resubmit the **Healthy Ohio** waiver to the U.S. Department of Health and Human Services, the Ohio Senate has not joined the Ohio House in overriding Governor Kasich's veto. The waiver would empower Medicaid recipients to obtain better care, return to work, and ensure that needy Medicaid enrollees have to access to good medical services.

The Senate has until the end of the legislative session to join the House in voting to override the governor's veto, not doing so would be a missed opportunity to improve Medicaid even further while showing Washington that Ohio, and other states, can take the lead in smart health policy.

*Greg R. Lawson is the research fellow at The Buckeye Institute.*

###

*Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.*

*The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.*



The Buckeye Institute, 88 East Broad Street,  
Suite 1120, Columbus, OH 43215

[SafeUnsubscribe™](#) [brad.miller@ohiohouse.gov](mailto:brad.miller@ohiohouse.gov)

[Forward this email](#) | [Update Profile](#) | [About our service provider](#)

Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** Miller, Brad  
**Sent:** Thursday, August 31, 2017 10:46 AM  
**To:** 'Ben C. Garbarek (bcgarbarek@sbgvtv.com)'  
**Subject:** ABC 6 news stories

Hi Ben,

Following up on our phone call, we are looking for two news stories in particular, both from 2011.

1. A news story regarding former Cincinnati-area Rep. Bob Mecklenborg and his eventual resignation from the Ohio House. In the video clip, former House GOP Communications Director Mike Dittoe (current chief of staff to Speaker Rosenberger) is being interviewed in his Riffe Center office. Then-Ohio Democratic Party Chairman Chris Redfern was also filmed. I'm afraid I don't have an exact date, but I am thinking this would be around May/June/July of 2011.
2. A story related to Senate Bill 5 (the controversial collective bargaining law from '11): It dealt with legislative staff—mostly Senate, I believe, but it also included a couple caucus staff members from the House—receiving increases in salary. It aired shortly before the election, and may have even been the day before Election Day (Election Day in 2011 was Nov. 8).

I realize this is a rather unusual request, but I appreciate you looking into it for me. If you have any questions or need further details, please let me know.

Thank you!

**Brad Miller**  
Deputy Communications Director / Press Secretary  
Office of Speaker Clifford Rosenberger  
Ohio House of Representatives  
(614) 466-8759

**From:** Ben Garbarek  
**Sent:** Thursday, August 31, 2017 5:21 PM  
**To:** Miller, Brad  
**Subject:** RE: ABC 6 news stories

Hey Brad,

Quick update for you. I found both of those clips. I'll copy and paste what we have from the archives. It includes the date it aired, the newscast and the script.

## P-LEGISLATIVE SALARIES

### 11/07/2011

| Tape #       | Time Code | Time  | Format | Date       |
|--------------|-----------|-------|--------|------------|
| 11-7-11 11pm | dvd #1    | 04:16 | PKG    | 11/07/2011 |

#### News Central Archive

| Production Cues:                | Text:                                                                                                                                                                                  |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| [0]                             | [0] [1]((TAKE PKG))                                                                                                                                                                    |
| cghd intv2s LAWMAKERS' SALARIES | THERE'S NO DOUBT A BUDGETARY CLOUD LOOMS OVER OHIO. LOOKING TO CUT SPENDING GOVERNOR JOHN KASICH AND SOME LAWMAKERS FORMED A PLAN TO FORCE PUBLIC EMPLOYEES TO EARN LESS AND PAY MORE. |
| COLUMBUS                        |                                                                                                                                                                                        |
| ABC 6 INVESTIGATES              | [SB5 NAT SOUND]                                                                                                                                                                        |
| [1]                             |                                                                                                                                                                                        |
| TAKE PKG                        | WE ALL KNOW THE UPROAR CAUSED BY SENATE BILL 5... NOW ISSUE 2 ON THIS MONTH'S BALLOT.                                                                                                  |
| [2]                             |                                                                                                                                                                                        |
| cghd intv2s CHRIS KOEBERL       | [STAND UP?] [2]                                                                                                                                                                        |
| COLUMBUS                        | SO ABC 6 ASKED THE QUESTION ARE LAWMAKERS AND STAFF WILLING TO MAKE THE SAME SACRIFICES THEY'RE ASKING FROM PUBLIC EMPLOYEES?                                                          |
| ABC 6 INVESTIGATES              | [3]                                                                                                                                                                                    |
| [3]                             |                                                                                                                                                                                        |



|                                 |                                                                                                                                                                                                         |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| cghd intv2s LAWMAKERS' SALARIES | WE FOUND THE ANSWER IN THOUSANDS OF DOCUMENTS DETAILING SALARIES AND PERKS INSIDE THE STATEHOUSE.                                                                                                       |
| COLUMBUS                        | [MOS BYTE:57:44 ] <i>we need more jobs in ohio we need more prosperity here i don't think they deserve a raise</i>                                                                                      |
| ABC 6 INVESTIGATES              | USING NUMBERS PROVIDED BY THE STATE TREASURER'S OFFICE FROM LAST YEAR TO THIS WE FOUND SOME LAWMAKERS AND STAFF "ARE" GETTING SIGNIFICANT RAISES.                                                       |
| [4]                             |                                                                                                                                                                                                         |
| CGHD intv2s MIKE DITTOE         | THAT INCLUDES THE "NINE PERCENT CLUB"                                                                                                                                                                   |
| DIRECTOR OF COMMUNICATION       | SENATE FINANCE DIRECTOR BRIAN PERERA WILL EARN \$114,399 THIS YEAR.                                                                                                                                     |
| ABC 6 INVESTIGATES              | NINE PERCENT MORE THAN LAST YEAR.                                                                                                                                                                       |
| [5]                             |                                                                                                                                                                                                         |
| cghd intv2s LAWMAKERS' SALARIES | DEPUTY CHIEF OF STAFF ELIZABETH CONNOLLY IS ALSO ENJOYING AN 9-PERCENT INCREASE. SHE TOPS OUT AT (\$115,293) MORE THAN 115-THOUSAND DOLLARS THIS YEAR.                                                  |
| COLUMBUS                        | SENATE CLERK VINCENT KEERAN 9-PERCENT RAISE. (\$115,397)                                                                                                                                                |
| ABC 6 INVESTIGATES              | NEARLY 9-PERCENT FOR CHIEF OF STAFF MATT SCHULER AS WELL... (\$137,674)                                                                                                                                 |
| [6]                             |                                                                                                                                                                                                         |
| CGHD intv2s JIM GILBERT         | [MOS BYTE:3:46 ] <i>WOULD YOU LIKE A NINE PERCENT RAISE? i would but i know it's not possible right now.</i>                                                                                            |
| FOP PRESIDENT                   | HOUSE DIRECTOR OF POLICY CHAD HAWLEY IS ONE OF THE BIG WINNERS IN 2011. A 40-PERCENT RAISE MEANS HE'LL TAKE HOME (\$96,236) MORE THAN 96-THOUSAND DOLLARS THIS YEAR.                                    |
| ABC 6 INVESTIGATES              | BUT MEMBERS OF THE HOUSE SAY NOW THAT REPUBLICANS ARE IN THE MAJORITY... STAFF ARE TAKING ON MORE RESPONSIBILITIES.                                                                                     |
| [7]                             |                                                                                                                                                                                                         |
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| COLUMBUS                        |                                                                                                                                                                                                         |
| ABC 6 INVESTIGATES              |                                                                                                                                                                                                         |

[5]

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AND SENATE PRESIDENT THOMAS NIEHAUS SALARY THIS YEAR IS SET AT (\$101,343) OVER 101-THOUSAND DOLLARS AND 8-PERCENT MORE THAN LAST YEAR.

[MOS BYTE:2:45 ]*it's hard times for everyone nobody's working why should they get a raise right now.*

[MOS BYTE: 6:54] *i don't think that's fair at all.*

STATE LAWMAKERS SALARY BASE OF \$60,584 RANKS 6TH IN THE NATION. NOT BAD FOR A PART TIME JOB.

AND ALTHOUGH THEY AREN'T REIMBURSED FOR THINGS LIKE HOTELS OR MEALS THEY ARE PAID FOR MILEAGE BETWEEN COLUMBUS AND THEIR HOME DISTRICT.

WE SEARCHED EVERY TRIP LAWMAKERS WERE RE-EMBUSED FOR AND FOUND IN LESS THAN TWO YEARS IT'S COST US MORE THAN THREE QUARTERS OF A MILLION DOLLARS. (\$774,603)

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ALSO FROM CLEVELAND REPRESENTATIVE SANDRA WILLIAMS (\$10,007).

AND REPRESENTATIVE RONALD GERBERRY OF YOUNGSTOWN (\$10,852).

EVEN SENATE PRESIDENT NIEHAUS CLAIMED \$9209  
IN MILEAGE FROM NEW RICHMOND TO COLUMBUS.

THE INCREASED SALARIES AND MILEAGE PERKS  
HAVEN'T ESCAPED THE ATTENTION OF THE PUBLIC  
EMPLOYEES WHO WOULD BE AFFECTED BY ISSUE 2.

JIM GILBERT REPRESENTS NEARLY 19-HUNDRED  
COLUMBUS POLICE OFFICERS.

HE SEES THESE NUMBERS AS THE LEGISLATORS  
WAY OF SAYING "DO WHAT I SAY NOT WHAT I DO"

[6][JIM GILBERT BYTE:36:41 ]*and it's troubling for me to  
hear and see what you've brought forward in that  
they're getting raises at a time when they're trying to  
push and shove down the throats of public employees  
you've not sacrificed enough you need to sacrifice  
more*

[7]

EVEN GOVERNOR JOHN KASICH IS EARNING (\$10,110)  
MORE THAN 10-THOUSAND DOLLARS MORE THAN HIS  
PREDECESSOR TED STRICKLAND.

COMING IN AT 148-THOUSAND 866-DOLLARS.

AT THE STATEHOUSE I'M CK ABC 6 INVESTIGATOR.

## 5P-LAWMAKER DUI

### 8/1/2011

| Tape #     | Time Code | Time  | Format | Date     |
|------------|-----------|-------|--------|----------|
| 8-1-11 5pm | Unknown   | 01:39 | PKG    | 8/1/2011 |

### News Central Archive

#### Production Cues:

[0]

TAKE PKG

[1]

#### Text:

[0]((TAKE PKG))

((USE VIDEO)) [1]

THIS VIDEO SHOWS THE TRAFFIC STOP FOR DRUNK  
DRIVING OF STATE REPRESENTATIVE JARROD

cghd intv2S CHARGES &  
COUNTERCHARGES

DOWNTOWN COLUMBUS

NEW AT 5:30

[2]

TAKE SOT

[11-22-06]

RUNS=13

[3]

cghd intv2S CHRIS  
REDFERN

OHIO DEMOCRATIC  
PARTY

NEW AT 5:30

[4]

TAKE VO

[5]

cghd intv2S CHARGES &  
COUNTERCHARGES

DOWNTOWN COLUMBUS

NEW AT 5:30

[6]

TAKE SOT

[11-24-00]

MARTIN A WEEK AGO. HE WAS PULLED OVER NEAR  
ROSS COUNTY GOING LEFT OF CENTER-HAULING A  
TRAILER-WITH TWO KIDS AND TWO ADULTS IN THE  
CAR.

BACK ON MARCH 24TH MARTIN WAS FOUND PASSED  
OUT ON SPEAKER BILL BATCHELDERS CAR-IN THE  
RIFE CENTER PARKING GARAGE. HE WAS DRIVEN  
HOME AND NOT CHARGED WITH ANYTHING!

STATE SENATOR KRIS JORDAN'S WIFE MADE A 9-1-1  
CALL SAYING HE WAS PUSHING HER AROUND AND  
THREATENING HER

AND STATE REPRESENTATIVE ROBERT  
MECKLENBORG RESIGNED-TODAY'S HIS LAST DAY!

HE WAS PULLED OVER IN INDIANA IN APRIL-  
CHARGED WITH DRIVING DRUNK-WITH A YOUNG  
WOMAN FRIEND IN THE CAR.

THE MECKLINGBORG AND MARTIN ISSUES GOT THE  
ATTENTION OF OHIO DEMOCRATIC PARTY CHAIRMAN  
CHRIS REDFERN!

REDFERN CLAIMS ITS POLITICAL-AND THE EVENTS  
WERE COVERED UP!

[2]((TAKE SOT)) [3]

*to use campaign staff and elected officials to think of  
elections rather than the safety of the public is deeply  
disappointing*

[4]((TAKE VO)) [5]

HE SLAMMED SPEAKER BATCHELDER AND HIS  
PRESS SPOKESMAN MIKE DITTOE FOR NOT  
SEPAKING UP

[6]((TAKE SOT))

*how can i take you seriously mr dittoe and mr  
batchelder when the infomration regarding mr. martin  
was just found out and really impugns your behavior as  
far as it relates to these kinds of acts!*

|                                      |                                                                                                                                                                  |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RUNS=:16                             | [7]((TAKE SOT)) [8]                                                                                                                                              |
| [7]                                  | <i>speaker batchelder has spoken publicly about these issues</i>                                                                                                 |
| TAKE SOT                             |                                                                                                                                                                  |
|                                      | [9]((TAKE SOT))                                                                                                                                                  |
| 14-43-48]                            |                                                                                                                                                                  |
| RUNS=:02                             | <i>any suggestion of a coverup by chairman redfern really is a disservicenot only to his party but to the entire institution of the house of representatives</i> |
| [8]                                  |                                                                                                                                                                  |
|                                      | [10]                                                                                                                                                             |
| cghd intv2S MIKE DITTOE              |                                                                                                                                                                  |
| REPUBLICAN CAUCUS                    |                                                                                                                                                                  |
| NEW AT 5:30                          |                                                                                                                                                                  |
| cghd intv2S CHARGES & COUNTERCHARGES |                                                                                                                                                                  |
| DOWNTOWN COLUMBUS                    |                                                                                                                                                                  |
| NEW AT 5:30                          |                                                                                                                                                                  |
| [9]                                  |                                                                                                                                                                  |
| TAKE SOT                             |                                                                                                                                                                  |
| [14-47-43]                           |                                                                                                                                                                  |
| RUNS=:09                             |                                                                                                                                                                  |
| [10]                                 |                                                                                                                                                                  |

I'm still trying to figure out if we can get you that video. We do use a third-party service to give viewers clips because we don't have the staffing to fill all those requests. It's called Columbus News Clips. Their number is 614-798-9988 and their email is [news@columbusnewsclips.com](mailto:news@columbusnewsclips.com). If Mike needs this soon, he can go that route. It's not a free service though. I'm honestly not sure what they charge though.

I'll let you know if there's an easier way but you can always fall back on this option.

Ben

---

**From:** Brad.Miller@ohiohouse.gov [mailto:Brad.Miller@ohiohouse.gov]  
**Sent:** Thursday, August 31, 2017 10:46 AM  
**To:** Ben Garbarek <bcgarbarek@sbgvtv.com>  
**Subject:** ABC 6 news stories

Hi Ben,

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Thank you!

**Brad Miller**

Deputy Communications Director / Press Secretary  
Office of Speaker Clifford Rosenberger  
Ohio House of Representatives  
(614) 466-8759

**From:** Miller, Brad  
**Sent:** Friday, September 1, 2017 11:15 AM  
**To:** 'dittoemr@gmail.com'  
**Subject:** FW: ABC 6 news stories

Hi Mike,

Here is an update. See below. The most relevant part is at the bottom (and copied here):

*I'm still trying to figure out if we can get you that video. We do use a third-party service to give viewers clips because we don't have the staffing to fill all those requests. It's called Columbus News Clips. Their number is 614-798-9988 and their email is [news@columbusnewsclips.com](mailto:news@columbusnewsclips.com). If Mike needs this soon, he can go that route. It's not a free service though. I'm honestly not sure what they charge though.*

*I'll let you know if there's an easier way but you can always fall back on this option.*

-Brad

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**From:** Ben Garbarek [mailto:bcgarbarek@sbgtn.com]  
**Sent:** Thursday, August 31, 2017 5:21 PM  
**To:** Miller, Brad <Brad.Miller@ohiohouse.gov>  
**Subject:** RE: ABC 6 news stories

Hey Brad,

Quick update for you. I found both of those clips. I'll copy and paste what we have from the archives. It includes the date it aired, the newscast and the script.

## **P-LEGISLATIVE SALARIES**

### **11/07/2011**

---

| <b>Tape #</b> | <b>Time Code</b> | <b>Time</b> | <b>Format</b> | <b>Date</b> |
|---------------|------------------|-------------|---------------|-------------|
| 11-7-11 11pm  | dvd #1           | 04:16       | PKG           | 11/07/2011  |

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#### **News Central Archive**

**Production Cues:**

[0]

**Text:**

[0] [1]((TAKE PKG))

|                                 |                                                                                                                                                                                        |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| cghd intv2s LAWMAKERS' SALARIES | THERE'S NO DOUBT A BUDGETARY CLOUD LOOMS OVER OHIO. LOOKING TO CUT SPENDING GOVERNOR JOHN KASICH AND SOME LAWMAKERS FORMED A PLAN TO FORCE PUBLIC EMPLOYEES TO EARN LESS AND PAY MORE. |
| COLUMBUS                        |                                                                                                                                                                                        |
| ABC 6 INVESTIGATES              | [SB5 NAT SOUND]                                                                                                                                                                        |
| [1]                             | WE ALL KNOW THE UPROAR CAUSED BY SENATE BILL 5... NOW ISSUE 2 ON THIS MONTH'S BALLOT.                                                                                                  |
| TAKE PKG                        | [STAND UP?] [2]                                                                                                                                                                        |
| [2]                             |                                                                                                                                                                                        |
| cghd intv2s CHRIS KOEBERL       | SO ABC 6 ASKED THE QUESTION ARE LAWMAKERS AND STAFF WILLING TO MAKE THE SAME SACRIFICES THEY'RE ASKING FROM PUBLIC EMPLOYEES?                                                          |
| COLUMBUS                        | [3]                                                                                                                                                                                    |
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| ABC 6 INVESTIGATES              |                                                                                                                                                                                        |
| [4]                             | THAT INCLUDES THE "NINE PERCENT CLUB"                                                                                                                                                  |
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| [5]                             |                                                                                                                                                                                        |
| cghd intv2s LAWMAKERS' SALARIES | SENATE CLERK VINCENT KEERAN 9-PERCENT RAISE. (\$115,397)                                                                                                                               |
| COLUMBUS                        |                                                                                                                                                                                        |



|                                 |                                                                                                                                                                                                         |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ABC 6 INVESTIGATES              | NEARLY 9-PERCENT FOR CHIEF OF STAFF MATT SCHULER AS WELL... (\$137,674)                                                                                                                                 |
| [6]                             |                                                                                                                                                                                                         |
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| ABC 6 INVESTIGATES              |                                                                                                                                                                                                         |
| [7]                             |                                                                                                                                                                                                         |
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| ABC 6 INVESTIGATES              |                                                                                                                                                                                                         |
|                                 | [5]                                                                                                                                                                                                     |
|                                 | ALTHOUGH ELECTED SALARIES ARE SET BY LAW... A CHANGE IN JOB TITLES ALSO MEANS:                                                                                                                          |
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[6][JIM GILBERT BYTE:36:41 ]*and it's troubling for me to hear and see what you've brought forward in that they're getting raises at a time when they're trying to push and shove down the throats of public employees you've not sacrificed enough you need to sacrifice more*

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COMING IN AT 148-THOUSAND 866-DOLLARS.

AT THE STATEHOUSE I'M CK ABC 6 INVESTIGATOR.

# 5P-LAWMAKER DUI

## 8/1/2011

| Tape #     | Time Code | Time  | Format | Date     |
|------------|-----------|-------|--------|----------|
| 8-1-11 5pm | Unknown   | 01:39 | PKG    | 8/1/2011 |

### News Central Archive

| Production Cues:                     | Text:                                                                                                                                                                                                                     |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| [0]                                  | [0]((TAKE PKG))                                                                                                                                                                                                           |
| TAKE PKG                             | ((USE VIDEO)) [1]                                                                                                                                                                                                         |
| [1]                                  | THIS VIDEO SHOWS THE TRAFFIC STOP FOR DRUNK DRIVING OF STATE REPRESENTATIVE JARROD MARTIN A WEEK AGO. HE WAS PULLED OVER NEAR ROSS COUNTY GOING LEFT OF CENTER-HAULING A TRAILER-WITH TWO KIDS AND TWO ADULTS IN THE CAR. |
| cghd intv2S CHARGES & COUNTERCHARGES |                                                                                                                                                                                                                           |
| DOWNTOWN COLUMBUS                    |                                                                                                                                                                                                                           |
| NEW AT 5:30                          | BACK ON MARCH 24TH MARTIN WAS FOUND PASSED OUT ON SPEAKER BILL BATCHELDERS CAR-IN THE RIFE CENTER PARKING GARAGE. HE WAS DRIVEN HOME AND NOT CHARGED WITH ANYTHING!                                                       |
| [2]                                  |                                                                                                                                                                                                                           |
| TAKE SOT                             | STATE SENATOR KRIS JORDAN'S WIFE MADE A 9-1-1 CALL SAYING HE WAS PUSHING HER AROUND AND THREATENING HER                                                                                                                   |
| [11-22-06]                           |                                                                                                                                                                                                                           |
| RUNS=:13                             | AND STATE REPRESENTATIVE ROBERT MECKLENBORG RESIGNED-TODAY'S HIS LAST DAY!                                                                                                                                                |
| [3]                                  |                                                                                                                                                                                                                           |
| cghd intv2S CHRIS REDFERN            | HE WAS PULLED OVER IN INDIANA IN APRIL-CHARGED WITH DRIVING DRUNK-WITH A YOUNG WOMAN FRIEND IN THE CAR.                                                                                                                   |
| OHIO DEMOCRATIC PARTY                | THE MECKLINGBORG AND MARTIN ISSUES GOT THE ATTENTION OF OHIO DEMOCRATIC PARTY CHAIRMAN CHRIS REDFERN!                                                                                                                     |
| NEW AT 5:30                          | REDFERN CLAIMS ITS POLITICAL-AND THE EVENTS WERE COVERED UP!                                                                                                                                                              |
| [4]                                  |                                                                                                                                                                                                                           |

|                                      |                                                                                                                                                                                                            |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TAKE VO                              | [2]((TAKE SOT)) [3]                                                                                                                                                                                        |
| [5]                                  | <i>to use campaign staff and elected officials to think of elections rather than the safety of the public is deeply disappointing</i>                                                                      |
| cghd intv2S CHARGES & COUNTERCHARGES | [4]((TAKE VO)) [5]                                                                                                                                                                                         |
| DOWNTOWN COLUMBUS                    | HE SLAMMED SPEAKER BATCHELDER AND HIS PRESS SPOKESMAN MIKE DITTOE FOR NOT SEPAGING UP                                                                                                                      |
| NEW AT 5:30                          |                                                                                                                                                                                                            |
| [6]                                  | [6]((TAKE SOT))                                                                                                                                                                                            |
| TAKE SOT                             | <i>how can i take you seriously mr dittoe and mr batchelder when the infomration regarding mr. martin was just found out and really impugns your behavior as far as it relates to these kinds of acts!</i> |
| [11-24-00]                           |                                                                                                                                                                                                            |
| RUNS=:16                             | [7]((TAKE SOT)) [8]                                                                                                                                                                                        |
| [7]                                  | <i>speaker batchelder has spoken publicly about these issues</i>                                                                                                                                           |
| TAKE SOT                             | [9]((TAKE SOT))                                                                                                                                                                                            |
| 14-43-48]                            |                                                                                                                                                                                                            |
| RUNS=:02                             | <i>any suggestion of a coverup by chairman redferm really is a disservicenot only to his party but to the entire institution of the house of representatives</i>                                           |
| [8]                                  |                                                                                                                                                                                                            |
| cghd intv2S MIKE DITTOE              | [10]                                                                                                                                                                                                       |
| REPUBLICAN CAUCUS                    |                                                                                                                                                                                                            |
| NEW AT 5:30                          |                                                                                                                                                                                                            |
| cghd intv2S CHARGES & COUNTERCHARGES |                                                                                                                                                                                                            |
| DOWNTOWN COLUMBUS                    |                                                                                                                                                                                                            |
| NEW AT 5:30                          |                                                                                                                                                                                                            |
| [9]                                  |                                                                                                                                                                                                            |

TAKE SOT

[14-47-43]

RUNS=:09

[10]

I'm still trying to figure out if we can get you that video. We do use a third-party service to give viewers clips because we don't have the staffing to fill all those requests. It's called Columbus News Clips. Their number is 614-798-9988 and their email is [news@columbusnewsclips.com](mailto:news@columbusnewsclips.com). If Mike needs this soon, he can go that route. It's not a free service though. I'm honestly not sure what they charge though.

I'll let you know if there's an easier way but you can always fall back on this option.

Ben

---

**From:** [Brad.Miller@ohiohouse.gov](mailto:Brad.Miller@ohiohouse.gov) [mailto:[Brad.Miller@ohiohouse.gov](mailto:Brad.Miller@ohiohouse.gov)]  
**Sent:** Thursday, August 31, 2017 10:46 AM  
**To:** Ben Garbarek <[bccgarbarek@sbgstv.com](mailto:bccgarbarek@sbgstv.com)>  
**Subject:** ABC 6 news stories

Hi Ben,

Following up on our phone call, we are looking for two news stories in particular, both from 2011.

1. A news story regarding former Cincinnati-area Rep. Bob Mecklenborg and his eventual resignation from the Ohio House. In the video clip, former House GOP Communications Director Mike Dittoe (current chief of staff to Speaker Rosenberger) is being interviewed in his Riffe Center office. Then-Ohio Democratic Party Chairman Chris Redfern was also filmed. I'm afraid I don't have an exact date, but I am thinking this would be around May/June/July of 2011.
2. A story related to Senate Bill 5 (the controversial collective bargaining law from '11): It dealt with legislative staff—mostly Senate, I believe, but it also included a couple caucus staff members from the House—receiving increases in salary. It aired

shortly before the election, and may have even been the day before Election Day (Election Day in 2011 was Nov. 8).

I realize this is a rather unusual request, but I appreciate you looking into it for me. If you have any questions or need further details, please let me know.

Thank you!

**Brad Miller**

Deputy Communications Director / Press Secretary  
Office of Speaker Clifford Rosenberger  
Ohio House of Representatives  
(614) 466-8759

**From:** Miller, Brad  
**Sent:** Friday, September 1, 2017 11:16 AM  
**To:** 'Ben Garbarek'  
**Subject:** RE: ABC 6 news stories

Thank you Ben – very much appreciated! I will run this by Mike and see where he might want to go from here.

Thanks again,  
Brad

---

**From:** Ben Garbarek [mailto:bcgarbarek@sbgtn.com]  
**Sent:** Thursday, August 31, 2017 5:21 PM  
**To:** Miller, Brad <Brad.Miller@ohiohouse.gov>  
**Subject:** RE: ABC 6 news stories

Hey Brad,

Quick update for you. I found both of those clips. I'll copy and paste what we have from the archives. It includes the date it aired, the newscast and the script.

## **P-LEGISLATIVE SALARIES**

### **11/07/2011**

| <b>Tape #</b> | <b>Time Code</b> | <b>Time</b> | <b>Format</b> | <b>Date</b> |
|---------------|------------------|-------------|---------------|-------------|
| 11-7-11 11pm  | dvd #1           | 04:16       | PKG           | 11/07/2011  |

#### **News Central Archive**

##### **Production Cues:**

[0]

cghd intv2s LAWMAKERS'  
SALARIES

COLUMBUS

ABC 6 INVESTIGATES

[1]

##### **Text:**

[0] [1]((TAKE PKG))

THERE'S NO DOUBT A BUDGETARY CLOUD LOOMS  
OVER OHIO. LOOKING TO CUT SPENDING GOVERNOR  
JOHN KASICH AND SOME LAWMAKERS FORMED A  
PLAN TO FORCE PUBLIC EMPLOYEES TO EARN LESS  
AND PAY MORE.

[SB5 NAT SOUND]

|                                 |                                                                                                                                                        |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| TAKE PKG                        | WE ALL KNOW THE UPROAR CAUSED BY SENATE BILL 5... NOW ISSUE 2 ON THIS MONTH'S BALLOT.                                                                  |
| [2]                             | [STAND UP?] [2]                                                                                                                                        |
| cghd intv2s CHRIS KOEBERL       | SO ABC 6 ASKED THE QUESTION ARE LAWMAKERS AND STAFF WILLING TO MAKE THE SAME SACRIFICES THEY'RE ASKING FROM PUBLIC EMPLOYEES?                          |
| COLUMBUS                        | [3]                                                                                                                                                    |
| ABC 6 INVESTIGATES              | WE FOUND THE ANSWER IN THOUSANDS OF DOCUMENTS DETAILING SALARIES AND PERKS INSIDE THE STATEHOUSE.                                                      |
| [3]                             |                                                                                                                                                        |
| cghd intv2s LAWMAKERS' SALARIES | [MOS BYTE:57:44 ] <i>we need more jobs in ohio we need more prosperity here i don't think they deserve a raise</i>                                     |
| COLUMBUS                        | USING NUMBERS PROVIDED BY THE STATE TREASURER'S OFFICE FROM LAST YEAR TO THIS WE FOUND SOME LAWMAKERS AND STAFF "ARE" GETTING SIGNIFICANT RAISES.      |
| ABC 6 INVESTIGATES              |                                                                                                                                                        |
| [4]                             | THAT INCLUDES THE "NINE PERCENT CLUB"                                                                                                                  |
| CGHD intv2s MIKE DITTOE         | SENATE FINANCE DIRECTOR BRIAN PERERA WILL EARN \$114,399 THIS YEAR.                                                                                    |
| DIRECTOR OF COMMUNICATION       | NINE PERCENT MORE THAN LAST YEAR.                                                                                                                      |
| ABC 6 INVESTIGATES              | DEPUTY CHIEF OF STAFF ELIZABETH CONNOLLY IS ALSO ENJOYING AN 9-PERCENT INCREASE. SHE TOPS OUT AT (\$115,293) MORE THAN 115-THOUSAND DOLLARS THIS YEAR. |
| [5]                             |                                                                                                                                                        |
| cghd intv2s LAWMAKERS' SALARIES | SENATE CLERK VINCENT KEERAN 9-PERCENT RAISE. (\$115,397)                                                                                               |
| COLUMBUS                        |                                                                                                                                                        |
| ABC 6 INVESTIGATES              | NEARLY 9-PERCENT FOR CHIEF OF STAFF MATT SCHULER AS WELL... (\$137,674)                                                                                |
| [6]                             |                                                                                                                                                        |
| CGHD intv2s JIM GILBERT         | [MOS BYTE:3:46 ] <i>WOULD YOU LIKE A NINE PERCENT RAISE? i would but i know it's not possible right now.</i>                                           |
| FOP PRESIDENT                   | HOUSE DIRECTOR OF POLICY CHAD HAWLEY IS ONE OF THE BIG WINNERS IN 2011. A 40-PERCENT RAISE                                                             |



ABC 6 INVESTIGATES

MEANS HE'LL TAKE HOME (\$96,236) MORE THAN 96-THOUSAND DOLLARS THIS YEAR.

[7]

cghd intv2s LAWMAKERS' SALARIES

BUT MEMBERS OF THE HOUSE SAY NOW THAT REPUBLICANS ARE IN THE MAJORITY... STAFF ARE TAKING ON MORE RESPONSIBILITIES.

COLUMBUS

[4][MIKE DITTOE BYTE:25:40]*they're getting raises because they have different jobs. They have completely different jobs then they had in 2010 the salary goes with the job not with the person.*

ABC 6 INVESTIGATES

[5]

ALTHOUGH ELECTED SALARIES ARE SET BY LAW... A CHANGE IN JOB TITLES ALSO MEANS:

SPEAKER OF THE HOUSE WILLIAM BATCHELDER WILL TAKE HOME (\$13,071) MORE THAN LAST YEAR....

AND SENATE PRESIDENT THOMAS NIEHAUS SALARY THIS YEAR IS SET AT (\$101,343) OVER 101-THOUSAND DOLLARS AND 8-PERCENT MORE THAN LAST YEAR.

[MOS BYTE:2:45 ]*it's hard times for everyone nobody's working why should they get a raise right now.*

[MOS BYTE: 6:54] *i don't think that's fair at all.*

STATE LAWMAKERS SALARY BASE OF \$60,584 RANKS 6TH IN THE NATION. NOT BAD FOR A PART TIME JOB.

AND ALTHOUGH THEY AREN'T REIMBURSED FOR THINGS LIKE HOTELS OR MEALS THEY ARE PAID FOR MILEAGE BETWEEN COLUMBUS AND THEIR HOME DISTRICT.

WE SEARCHED EVERY TRIP LAWMAKERS WERE RE-EMBUSED FOR AND FOUND IN LESS THAN TWO YEARS IT'S COST US MORE THAN THREE QUARTERS OF A MILLION DOLLARS. (\$774,603)

SENATE MINORITY LEADER CAPRI CAFARO CLAIMED \$9394 IN TRAVEL FROM HER HOME TOWN OF HUBBARD.

THREE OTHERS CLAIMED MORE THAN 10-THOUSAND DOLLARS INCLUDING:

ASSISTANT MINORITY LEADER SHIRLEY SMITH OF CLEVELAND (\$10,731).

ALSO FROM CLEVELAND REPRESENTATIVE SANDRA WILLIAMS (\$10,007).

AND REPRESENTATIVE RONALD GERBERRY OF YOUNGSTOWN (\$10,852).

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## 5P-LAWMAKER DUI

### 8/1/2011

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Tape #  
8-1-11 5pm

Time Code  
Unknown

Time  
01:39

Format  
PKG

Date  
8/1/2011

## News Central Archive

| Production Cues:                                                    | Text:                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| [0]                                                                 | [0]((TAKE PKG))                                                                                                                                                                                                                          |
| TAKE PKG                                                            | ((USE VIDEO)) [1]                                                                                                                                                                                                                        |
| [1]<br>cghd intv2S CHARGES &<br>COUNTERCHARGES<br>DOWNTOWN COLUMBUS | THIS VIDEO SHOWS THE TRAFFIC STOP FOR DRUNK<br>DRIVING OF STATE REPRESENTATIVE JARROD<br>MARTIN A WEEK AGO. HE WAS PULLED OVER NEAR<br>ROSS COUNTY GOING LEFT OF CENTER-HAULING A<br>TRAILER-WITH TWO KIDS AND TWO ADULTS IN THE<br>CAR. |
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| RUNS=:13                                                            | AND STATE REPRESENTATIVE ROBERT<br>MECKLENBORG RESIGNED-TODAY'S HIS LAST DAY!                                                                                                                                                            |
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|                                         |                                                                                                                                                                                                                        |
|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DOWNTOWN COLUMBUS                       | [4]((TAKE VO)) [5]                                                                                                                                                                                                     |
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| DOWNTOWN COLUMBUS                       |                                                                                                                                                                                                                        |
| NEW AT 5:30                             |                                                                                                                                                                                                                        |
| [9]                                     |                                                                                                                                                                                                                        |
| TAKE SOT                                |                                                                                                                                                                                                                        |
| [14-47-43]                              |                                                                                                                                                                                                                        |
| RUNS=:09                                |                                                                                                                                                                                                                        |
| [10]                                    |                                                                                                                                                                                                                        |

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Ben

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**Sent:** Thursday, August 31, 2017 10:46 AM  
**To:** Ben Garbarek <[bgarbarek@sbgvtv.com](mailto:bgarbarek@sbgvtv.com)>  
**Subject:** ABC 6 news stories

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I realize this is a rather unusual request, but I appreciate you looking into it for me. If you have any questions or need further details, please let me know.

Thank you!

**Brad Miller**

Deputy Communications Director / Press Secretary

Office of Speaker Clifford Rosenberger  
Ohio House of Representatives  
(614) 466-8759

**From:** Miller, Brad  
**Sent:** Tuesday, September 5, 2017 3:38 PM  
**To:** Osborne, Markee  
**Subject:** Medicaid number

Hi Markee – unfortunately I'm having trouble finding talking points with numbers, cost figures, statistics, etc. So I'm hoping Steven has some stuff that could be helpful. Have you looked at things like the Buckeye Institute and/or other things like it? Obviously, that is not directly from the House, but it could be helpful in a pinch.

**Brad Miller**  
Deputy Communications Director / Press Secretary  
Office of Speaker Clifford Rosenberger  
Ohio House of Representatives  
(614) 466-8759

**From:** Osborne, Markee  
**Sent:** Wednesday, September 6, 2017 8:51 AM  
**To:** Miller, Brad  
**Subject:** RE: Medicaid number

Thanks for checking into this yesterday. The Buckeye Institute had a good article with numbers that worked great so thanks for that suggestion!

---

**From:** Miller, Brad  
**Sent:** Tuesday, September 05, 2017 3:38 PM  
**To:** Osborne, Markee <Markee.Osborne@ohiohouse.gov>  
**Subject:** Medicaid number

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**Brad Miller**  
Deputy Communications Director / Press Secretary  
Office of Speaker Clifford Rosenberger  
Ohio House of Representatives  
(614) 466-8759



**From:** The Buckeye Institute  
**Sent:** Wednesday, September 13, 2017 1:35 PM  
**To:** Miller, Brad  
**Subject:** Kasich/Hickenlooper, ObamaCare by a Different Name, By Rea S. Hederman Jr.

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## THE BUCKEYE INSTITUTE

### **Kasich/Hickenlooper, ObamaCare by a Different Name**

**By Rea S. Hederman Jr.**  
**September 13, 2017**

Ohio Governor John Kasich and Colorado Governor John Hickenlooper **issued a letter** that laid out their ideas for fixing the Affordable Care Act. In a nutshell, the plan's goal is to increase government spending and enforce the individual mandate in an effort to prop up the ACA insurance markets. Unfortunately, simply spending more taxpayer money does little to fix a core flaw of the ACA - heavily regulating insurance companies - which has driven up premiums and caused insurers to leave markets and leave Ohioans with few or no insurance options.

It is disappointing that the governor of Ohio would propose keeping the ACA's individual mandate, when in 2011 **Ohio passed a state constitutional amendment** calling for the end of the individual mandate. In Governor Kasich's first term in office, almost two-thirds of Ohio voters voted to enshrine an amendment that would prevent state level individual mandates. In 2015, Governor Kasich signed into a law a budget that called for Ohio to seek relief from individual and employer mandates utilizing a

state innovation waiver. In the Kasich/Hickenlooper plan, Governor Kasich reverses himself and is now calling for an individual mandate.

All the governors who signed the Kasich/Hickenlooper letter recognize that the individual market in the ACA is failing and their citizens cannot find insurance. The plan's alternative is to allow citizens to buy into the federal insurance program if there is only one insurer in their area. However, federal insurance has expensive premiums that would be unaffordable by many Ohioans and would not solve the problem of skyrocketing insurance costs in these counties.

Other provisions in the Kasich/Hickenlooper plan have similar flaws - increasing government spending as a way to keep insurance cost lows. These are temporary solutions at the cost of higher taxes on taxpayers. The one group that will benefit from the plan is insurance companies, because the plan asks the federal government to give more money to insurers through a provision called "cost-sharing reductions." Since the ACA increased the cost of insurance, the ACA also forced insurers to make additional payments and subsidies to low-income people. These subsidies and payments are called cost-sharing reductions because they can take the form of help with insurance deductibles or co-payments.

The one area the Kasich/Hickenlooper get right is its attempt to improve the use of state innovation waivers with a call to repeal the Obama era guidance from 2015. **Rescinding that guidance** would be a step forward and Congress should go further and allow more of the insurance regulations to be waived under state innovation waivers. However, this positive aspect of the governor's proposal does not offset the other problems with the proposal.

Disappointingly, the Kasich/Hickenlooper plan will not fix the problem that regulations imposed by Washington, DC have caused in the state insurance markets. Prior to the ACA, Ohio had more than 50 insurers competing for business in the state and today there are several counties with only one insurer. Higher government spending will not fix the fundamental problem of the ACA, which is making insurance unaffordable for too many Americans.

It is time for Washington to stop imposing one-size-fits-all solutions that don't work and return insurance regulations to states.

*Rea S. Hederman Jr. is executive vice president and chief operating officer at The Buckeye Institute and is an expert in health care policy.*

###

*Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.*

*The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.*



The Buckeye Institute, 88 East Broad Street,  
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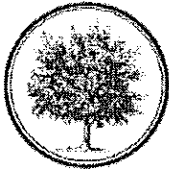
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**FOR IMMEDIATE RELEASE**

September 15, 2017

(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

### **Buckeye's Rea Hederman: Ohio's August Jobs Report Paints a Contrasting Picture**

**Columbus, OH** - Rea S. Hederman Jr., executive vice president at **The Buckeye Institute**, commented on newly released unemployment data from the **Ohio Department of Job and Family Services**.

"In August, the two payroll surveys diverged painting a contrasting picture of the Ohio labor market. The household survey, used to determine the unemployment rate, continued the bad news from July, with the unemployment rate increasing even as Ohioans left the labor force. In the last two months, the unemployment rate has jumped from 5.0 in June to 5.4 in August, a worrying climb.

"However, the payroll survey, which counts the number of workers, showed good news as private sector employment increased by 11,000 in August. The number of jobs in July was also revised slightly upward, which means that Ohio employers increased their headcount in July instead of shedding jobs. The hospitality sector created the most jobs in August adding 6,600 new employees, and manufacturing increased job opportunities by 1,600 which more than makes up for the dip in July.

"It is not uncommon for the two different surveys to diverge given that they measure different things and one interviews people and the other businesses. However, if the surveys become more similar and growth stagnates like it has in the household survey, Ohio policymakers will need to consider a more pro-growth policies."

###

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September 20, 2017

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### **Buckeye's Greg Lawson: Government Transparency Empowers Ohioans and Increases Accountability**

**Columbus, OH** - The Buckeye Institute's Greg R. Lawson testified (see full testimony below) today before the Ohio House Finance Committee on the DataOhio project and the transparency policies that are included in House Bill 3.

**In his remarks**, Lawson highlighted The Buckeye Institute's advocacy in support of government transparency saying, "Transparency helps citizens better understand what their government has done, what it is doing, and what remains to be done with their tax dollars. Fiscal transparency helps keep government accountable to the citizenry, fosters a more informed public, and facilitates a better dialogue between the people and their elected representatives."

Noting the challenges of providing fiscal transparency for Ohio's local governments, Lawson stressed the benefits of DataOhio and other transparency tools. "The DataOhio project can further promote transparency by developing a standard chart of accounts so that citizens and policymakers can make apples-to-apples comparisons of spending across diverse local governments. This would help constituents and even lawmakers make better sense of how our local governments operate."

Lawson concluded saying, "DataOhio and similar efforts can all work together as complementary tools for the common, important purpose of empowering Ohio's taxpayers to raise accountability at all levels of Ohio government."

###

**Interested Party Testimony Submitted to the  
Ohio House Finance Committee on House Bill 3**

**Greg R. Lawson, Research Fellow  
The Buckeye Institute for Public Policy Solutions  
September 20, 2017**

Thank you Chairman Smith, Vice Chair Ryan and Ranking Member Cera for the opportunity to testify before the Ohio House Finance Committee. My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute for Public Policy Solutions**.

I am here with a few brief remarks regarding House Bill 3, the DataOhio project. I have previously testified about DataOhio and the need for government transparency. I appreciate the chance to revisit the issue today.

The Buckeye Institute has long championed a more transparent government that makes it easier for taxpayers to see and understand how Columbus spends their hard-earned money. Such transparency helps citizens better understand what their government has done, what it is doing, and what remains to be done with their tax dollars. Fiscal transparency helps keep government accountable to the citizenry, fosters a more informed public, and facilitates a better dialogue between the people and their elected representatives.

Recognizing the need for and challenges of providing more fiscal transparency, The Buckeye Institute developed its own searchable database for tracking state spending on salaries for state employees, K-12 teachers, four-year higher education, and select local government employees. Of course, imitation is the sincerest form of flattery, and The

Buckeye Institute's database proved so popular and useful that the **Ohio Treasurer of State** and the **Office of Budget and Management** now offer even more robust services.

Despite its popularity and usefulness, The Buckeye Institute's database, as well as existing state services, are not comprehensive toolkits. For example, it does not publish information on vendor payments made by localities, and the local component that lists local government salaries remains quite limited. While the State Treasurer's office, has expanded the state's **Ohio Checkbook** database so that it now also includes many Ohio local governments, more transparency is better than less.

As time goes on, this will prove increasingly important for Ohioans seeking to understand the operations of local governments, especially in an era of potentially reduced resources.

Ohio boasts thousands of local governmental bodies and a labyrinth of taxing authorities. As The Buckeye Institute outlined several years ago.

As of October 2007, Ohio ranked seventh among states regarding the number of local governmental entities and taxing authorities according to the U.S. Census Bureau, with a staggering 3,702 entities. On average, there are more than 41 taxing authorities per county, which is 46 percent more than the national average of 28.

Ohio had the sixth highest number of municipalities (938) and townships (1,308). There are 614 school districts as well as a myriad of law enforcement and safety entities along with special district governments. Cuyahoga County alone has 104 local government entities.[1]

Without fiscal transparency for Ohio's local governments, taxpayers remain largely in the dark without ready access to vital information needed for holding their elected officials accountable.

The DataOhio project can further promote transparency by developing a standard chart of accounts so that citizens and policymakers can make apples-to-apples comparisons of spending across these diverse local governments. This would help constituents and even lawmakers make better sense of how our local governments operate-again, an increasingly important issue as the General Assembly debates the adequacy of local government resources.

DataOhio and similar efforts can all work together as complementary tools for the common, important purpose of empowering Ohio's taxpayers to raise accountability at all levels of Ohio government.



Thank you for your time. I look forward to answering any questions from the committee at this time.

---

[1] Lawson, Greg R., ***Joining Forces: Consolidation Will Help Ohio's Local Governments if Compensation Package Costs are Properly Managed***, The Buckeye Institute, October 3, 2011.

###

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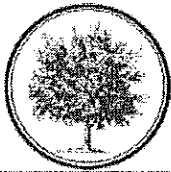
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**Subject:** Time to Fight the Rising Tide of Occupational Licensing, By Greg R. Lawson

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## THE BUCKEYE INSTITUTE

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### Time to Fight the Rising Tide of Occupational Licensing

**By Greg R. Lawson**

**September 25, 2017**

Recently, there has been a flood of potentially harmful legislation that risks undercutting Ohio's prosperity. Bad bills that expand burdensome occupational licensing requirements to an ever-larger number of Ohioans remains a serious impediment to creating an economically prosperous state where people are able to pursue job opportunities and career advancement without needing to seek costly, time-consuming permission from government.

Legislation that requires more and more professions to be licensed has been coming fast and furious including those licensing: **residential only building contractors, commercial roofing contractors, home inspectors, elevator and escalators installers.**

Each of these pieces of legislation are being promoted by advocates as being necessary for public safety or to protect consumers. Unfortunately, what these bills do is restrict opportunity for Ohioans seeking jobs.

As **The Buckeye Institute** as found in our *Forbidden to Succeed* report:

"High fees and training requirements reduce an occupation's job growth by 20 percent, as prospective workers who cannot afford to enter the occupation remain unemployed or underemployed."

Of Ohio's 31 moderate-income occupations requiring licensure, 15 require hundreds or even thousands of hours of training. Remarkably, nearly every Ohio license that requires training can be earned in less time in another state. For example, while there is pending legislation to reduce this absurd number, cosmetologists currently need 1,500 hours of education to get a license. That is **10 times** the amount of education needed to become a basic emergency medical technician that literally saves lives! That is also 500 more hours than what is needed in the seat of high fashion in America- New York!

Ohio certainly needs to require appropriate training and licensing for jobs with health and safety concerns, such as physicians and pilots, and no one disputes this. However, such concern fades dramatically when applied, for example, to **auctioneers** (that have to meet apprenticeship requirements), travel guides (**Lake Erie Fishing guides** need to pony up \$50 to be licensed), and hairdressers, all of which require licenses today in Ohio.

This burden is even more daunting for the employment prospects that are faced by many in Ohio's minority communities. Nationally, the unemployment rate among African Americans remains much higher than among other demographics. According to the **Bureau of Labor Statistics**, the most recent unemployment rate was 7.7 percent for African Americans-nearly double the 3.9 percent unemployment rate for whites. Similarly, unemployment confronts a staggering 23.4 percent of young African Americans between 16 and 19, and 11.8 percent of young whites.

Adding more licenses onto Ohioans is not going to reverse these discouraging trends.

Given these fact, it isn't surprising that there is growing non-partisan acknowledgement that licensing laws have gone too far. From **The Buckeye Institute** and the **Heritage Foundation** to the **Brookings Institute** to both the **Obama White House** and the **Trump Administration**, there is a growing consensus that these burdensome licensing requirements are bad for everyone.

So what can be done?

We need to continue raising awareness of the issue to members of the Ohio General Assembly. The Buckeye Institute is working with a number of policymakers in order to educate them on the need for meaningful reforms. This includes **policy** that will require the state to impose the least restrictive type of occupational licensing regulation to ensure consumer protection, while also establish a sunrise and sunset review processes for existing of licensing boards and new licensing legislation. Over time, the use of these reviews will help clean up antiquated licensing requirements while preventing new ones from cluttering Ohio's laws.

We also need to continue removing burdensome requirements for specific professions. The Buckeye Institute is already working with individual salon owners and a bipartisan group of legislators, including republicans **Representative Kristina Roegner** (R-Hudson) and **Senator Kris Jordan** (R-Ostrander), and democrats **Representative Alicia Reece** (D-Cincinnati) and **Senator Charleta Tavares** (D-Columbus) to improve cosmetology policy. The goal is to build upon the successes in the **previous General Assembly** and to move towards **further reducing** burdens on cosmetologists.

Finally, we need to look at how we remove employment barriers for spouses of military personnel stationed in Ohio. Buckeye is leading the way by developing good **policy** that would recognize out-of-state licenses for military spouses.

It is inevitable that in every General Assembly there will be a series of licensing bills that risk ensnaring many Ohioans in a bureaucratic, and often expensive maze, that delays their ability to make a living and move up the ladder of success. However, working to strengthen the growing bipartisan consensus we can eliminate these burdensome regulations and ensure Ohioans can pursue job opportunities and career advancement.

*Greg R. Lawson is the research fellow at The Buckeye Institute.*

###

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**Subject:** Batter Up: Buckeye's ad to debut during Reds and Indians games

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### **Batter Up: Buckeye's ad to debut during Reds and Indians games**

While the country debates NFL players' controversial protests of our National Anthem, The Buckeye Institute is cheering on Major League Baseball's two Ohio teams this week. We hope you are too.

The regular season is drawing to a close, and your Buckeye Institute has stepped up to the plate to hit a timely homerun.

Our new campaign has already earned media attention across the country in more than 31 radio markets with much more to come! We are also posting an editorial on **FoxNews.com**, which we will send as soon as it goes up.

Ladies and Gentlemen, it's time to play ball: **Worker Voting Rights: Giving a Voice and Choice to Union Members** is airing during several upcoming Cleveland Indians and Cincinnati Reds games.

Mark your calendar and tune in to catch our ad live!

| <b>Game:</b>                           | <b>Date:</b>            | <b>To Air During:</b> | <b>Station:</b> |
|----------------------------------------|-------------------------|-----------------------|-----------------|
| Cleveland Indians v. Minnesota Twins   | Wednesday, September 27 | Innings 2-3           | FSN             |
| Cleveland Indians v. Chicago White Sox | Friday, September 29    | Innings 1-6           | STO h & CSCh    |
|                                        |                         |                       |                 |
| Cincinnati Reds v. Milwaukee Brewers   | Wednesday, September 27 | Innings 5-6           | FSW1 & FSOH     |
| Cincinnati Reds v. Chicago Cubs        | Sunday, October 1       | Innings 6-9           | FSOH            |

Visit [www.WorkerVotingRights.org](http://www.WorkerVotingRights.org) to learn more about this important issue.

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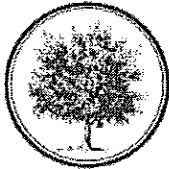
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September 27, 2017

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### **Buckeye's Daniel Dew: Reagan Tokes Act a Positive Step for Criminal Justice Reform**

**Columbus, OH** - The Buckeye Institute's Daniel J. Dew made the following comments regarding the Reagan Tokes Act, which was unveiled today by State Representatives Jim Hughes (R-Upper Arlington) and Kristin Boggs (D-Columbus), and State Senators Kevin Bacon (R-Minerva Park) and Sean O'Brien (D-Bazetta). The act would move away from determinate sentencing and move toward indeterminate sentencing for certain offenses.

"Incentives matter, and the Reagan Tokes Act takes a step in the right direction in keeping dangerous criminals in prison longer and incentivizing inmates to get the rehabilitation and training necessary to become contributing members of society upon release," said Daniel J. Dew, legal fellow at The Buckeye Institute's **Legal Center** and an expert in criminal justice reform. "Ninety-seven percent of all offenders sent to prison will re-enter our communities

someday, and indeterminate sentencing incentivizes rehabilitation which will help keep our communities safer."

###

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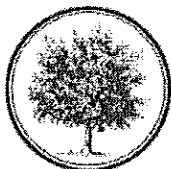
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## THE BUCKEYE INSTITUTE

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### **Don't Believe in Free Money, the Lesson of the MCO Sales Tax**

**By Greg R. Lawson**  
**September 27, 2017**

When something sounds **too good to be true**, it usually is. That is especially so when images of free dollars are floating in front of politicians' eyes! Hopefully, this is a lesson that will be learned by most Ohio elected officials after the affair concerning the Medicaid managed care organization (MCO) sales tax fiasco.

Before Medicaid was ever expanded in Ohio, The Buckeye Institute warned proponents multiple times (see **here** and **here**) that one of the big selling points -- the windfall revenues to be expected from the MCO sales tax -- were illusions. They would be, at best, temporary because the federal government was practically guaranteed to eliminate the ability to levy that tax.

At the time, few seemed to take notice. Then, when it happened, **exactly as predicted**, there were howls of concern. The state managed to make itself whole through a deal made with the outgoing Obama Administration. However, Ohio's counties, that were

gaining more than \$200 million from their local piggy-back sales tax, were not made whole. Throughout the entire budget process, there were efforts to raise state taxes in order to make up for this local windfall that should have always been considered temporary.

The Buckeye Institute **opposed this policy** and made clear that if new revenues are truly needed, then counties should justify the need for more taxes to their own constituents and not expect Columbus to ride to the rescue on a white horse.

According to pieces in *The Columbus Dispatch* and *The Plain Dealer*, it now appears that there will be no taxes raised at the state level to pay for local services and projects, which is as it should be. While the details of the proposal indicate up to \$80 million more might get distributed to counties from existing state resources, this will undoubtedly not be one-time deal and will continue the cycle of local governments turning to the state to pay for local services.

Next time there looks to be so-called "free" dollars, policymakers should take a much longer, harder look and remember these are all taxpayer dollars, and that it is almost certainly "too good to be true."

*Greg R. Lawson is the research fellow at The Buckeye Institute.*

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**Subject:** Senate leader blindsided by Kasich Medicaid math

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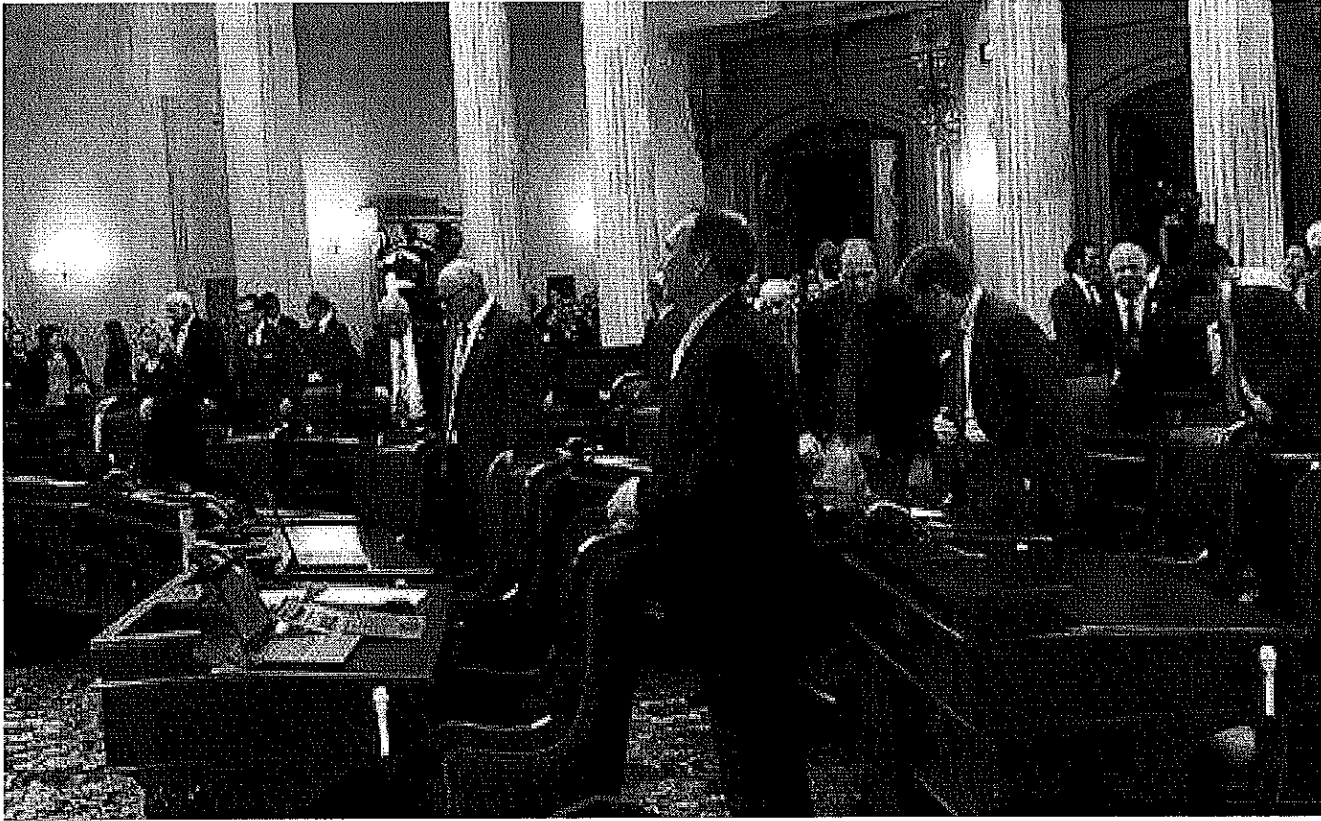
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# Capitol Letter

Laura Hancock and Jeremy Pelzer



## Rotunda Rumblings

**Medicaid miscommunication:** Ohio Senate President Larry Obhof said Wednesday afternoon that he doesn't understand how Gov. John Kasich's administration is predicting a nearly \$1.5 billion Medicaid shortfall. Obhof said Kasich's budget director, Tim Keen, testified a week before the budget passed that it was balanced. Furthermore, Obhof said Keen never indicated in their conversations that there was a problem after the General Assembly adopted the budget. "I don't think that there's a \$1.5 billion hole"

that no one was aware of in the governor's office -- and didn't testify about -- that mysteriously appeared five days later," he said.

Kasich's spokesman didn't reply to questions about communication with Obhof over Medicaid funding. He provided a document that described what the administration believes are the House and Senate's failings when budgeting for Medicaid, a combined state and federal program.

**Triage:** Hospitals across the state are bracing for Medicaid reimbursement rate cuts of around \$1 billion, said the Ohio Hospital Association's John Palmer. They've been told reimbursements will be cut by around 5 percent.

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**Elections panel to hear Issue 2 complaints:** The Ohio Elections Commission on Thursday is set to hear three complaints filed by the major group behind Issue 2 against opponents of the drug-price ballot issue. The complaints claim that drug companies didn't properly disclose money earmarked and spent against Issue 2 and that the anti-Issue 2 campaign improperly started spending money before forming a PAC.



**Pitching workers:** The Buckeye Institute is paying for an ad that will be broadcast during Cleveland Indians and Cincinnati Reds baseball game championing the concept of “working voting rights.” Laborers would vote on union representation, including which collective bargaining organization they want to represent them and whether they even want representation, said Buckeye Institute President and CEO Robert Alt. The organization didn’t say how much money it was spending on the ads, which began airing Wednesday and will continue through Sunday.

## Stories We're Talking About

**Drawing the line:** The Ohio auditor and secretary of state have a big say in how Ohio’s legislative districts are drawn. That could draw attention to these often overlooked 2018 down-ballot races, reports cleveland.com’s Mary Kilpatrick. Both Republicans and Democrats acknowledge that even under a new and fairer redistricting system, it still matters who’s on the commission drawing the lines.

**Healthy debate:** Republican U.S. Sen. Ron Johnson of Wisconsin “is demanding that Ohio Gov. John Kasich tell him why Ohio’s Medicaid expansion population has grown far beyond initial projections,” Columbus Dispatch reporter Jessica Wehrman reported. Kasich has been a vocal critic of fellow Republicans’ attempts to scrap the expansion.

**Count on it:** State lawmakers are looking at ways to pay for new voting machines, Columbus Dispatch reporter Jim Siegel writes. “A bill that would have the state pay 80 percent of the cost of new machines got a first hearing Tuesday,” Siegel writes. Sen. Frank LaRose, a Copley Republican,

running for secretary of state, said most voting machines in the state are old and need to be replaced, and counties will need help.

**Fantasy play:** GOP lawmakers' bill to legalize fantasy sports in Ohio got another high-profile backer this week: Paul Dolan, the owner of the Cleveland Indians (and the brother of state Sen. Matt Dolan). In a letter to the Senate Finance Committee, Paul Dolan noted his team's marketing partnership with DraftKings and stated that fantasy sports boosts interest among fans, according to Kevin Kleps of Crain's Cleveland Business. Officials with the Cincinnati Reds and Columbus Crew also support House Bill 132.

## What's Going On Today

**8 a.m. -- Bureau of Workers Compensation board of directors meeting.** *William Green building, 30 W. Spring St., Level 2, Room 3.*

**9 a.m. -- Stepping Up Summit:** Ohio Attorney General Mike DeWine, who is also running in the GOP gubernatorial primary, will address a conference of state and county officials who want to shift the reliance on jails and prisons as the primary mental health provider, toward a system that moves them to community-based treatment. *Quest Conference Center, 8405 Pulsar Place, Columbus.*

**10 a.m. -- Press conference:** State Rep. Andy Thompson, a Marietta Republican, will discuss House Concurrent Resolution 10, which condemns anti-Semitism. *Ohio Holocaust and Liberators Memorial, Ohio Statehouse South Lawn.*

**10 a.m. -- Ohio Elections Commission meeting.** *Riffe Center, 31st flc Room East B.*

**11 a.m. to 2 p.m. -- Food Truck Food Court at Columbus Commons**  
Trucks loaded with food, ranging from pizza to spicy Korean. *Columbus Commons, 160 S. High St.*

**11:30 a.m. -- Schiavoni's job proposal:** Democratic gubernatorial candidate Joe Schiavoni, who is also a Democratic state senator from Boardman, will unveil a website and plan for Ohio workers and small businesses. *Mahoning County Career and Technical Center, 7300 Nort Palmyra Rd., Canfield.*

**5:30 p.m. to 7:30 p.m. -- Columbus-area Dems hold town hall:** State Reps. Kristin Boggs, Dick Brown, Hearcel Craig, Bernadine Kennedy K David Leland, and Adam Miller will meet with local residents to discuss upcoming Statehouse issues, as well as the impact of the new state budget. *Local 67 Firefighters Union Hall, 379 W. Broad St., Columbus.*

*Legislative committee schedule:*

**10:30 a.m. -- House Speaker's Task Force on Education and Pover**  
*Rhodes Tower, 29th Floor, Room 2925.*

## **On The Move**

Gretchen Blazer starts Monday as director of government affairs for the Ohio Association of Health Plans. She's moving from Porter Wright, wh

she worked as a policy analyst.

## Five Questions

Freshman state Rep. Darrell Kick has a dairy farm, runs a cow-calf beef operation, and grows grain and hay. Before his time in the Ohio House, the Loudonville Republican worked for six years for U.S. Rep. Bob Gibbs. Kick is married and has five children.

*1. Was there anything unexpected about the Ohio House and your legislative duties when you entered?*

"Coming from the fed side, it was pretty much what I expected. There's been a few procedural things that kind of surprised me but it was nothing shocking."

*2. What do you think is going to be the hot topic between now and the end of the year?*

"Well, the veto overrides - whatever we can do to get those going and to get the Senate to go along with us."

*3. Whom are you supporting for House speaker?*

"Ryan Smith. I had said yes to him pretty early on, months and months ago, before I knew others were getting into it. Nothing has changed my mind at this point, but I don't want to go back on my word as well."

*4. What are the most used apps on your phone?*

"My kids joke with me, I don't have a lot of apps. ESPN. As far as for fun maybe a Euchre or Scrabble."

5. *How do you unwind on a bad day?*

"On the farm, it's very therapeutic to just work with your hands, to get dirty and sweaty and forget about everything else for a while."

## **Birthdays**

Sen. Lou Terhar

## **Straight From The Source**

"I think he's refreshing."

- Ohio Supreme Court Chief Justice Maureen O'Connor, a Republican, praising rising Democratic star Aftab Pureval, the Hamilton County clerk of courts, for setting up a new legal help center.

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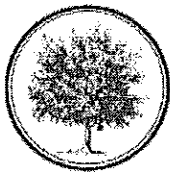
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**From:** The Buckeye Institute  
**Sent:** Thursday, September 28, 2017 12:02 PM  
**To:** Miller, Brad  
**Subject:** Supreme Court Takes Up Janus v. AFSCME: The Buckeye Institute's Amicus Brief Called for Protection of 1st Amendment

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## THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

**FOR IMMEDIATE RELEASE**

September 28, 2017

(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

### **Supreme Court Takes Up *Janus v. AFSCME***

*The Buckeye Institute's Amicus Brief Called for Protection of 1st Amendment*

**Columbus, OH** - This morning, the **United States Supreme Court** agreed to hear *Janus v. AFSCME*, which **The Buckeye Institute** asked the court to take up in its **amicus brief**, supporting Mark Janus and the First Amendment. In its brief, filed on July 7, 2017, Buckeye showed that unions can survive without compelled contributions and, alternatively, that this change will lead unions to better serve their members.

"We are pleased that the Supreme Court will take up this crucial case to protect the First Amendment rights of public employees," said **Robert Alt**, president and CEO of The Buckeye Institute. "Forcing employees to pay for speech with which they disagree and forcing them to pay fees to a union in order to keep their jobs is unjust and

unconstitutional. We are confident that Mr. Janus will prevail and that the court will rule in favor of the First Amendment rights of all public employees."

Illinois, among other states, forces public sector employees who opt out of their union to pay an agency fee, which is supposed to support the union for collective bargaining services, including lobbying on behalf of the union. As a result, Mr. Janus, a child support specialist with the Illinois Department of Healthcare and Family Services, is forced to pay fees to the American Federation of State, County and Municipal Employees (AFSCME), a government union, in order to keep his job.

Highlighting how union compelled fees undermine the First Amendment, Mr. Janus said in a **January 2016 op-ed** in the *Chicago Tribune*:

"I went into this line of work because I care about kids. But just because I care about kids doesn't mean I also want to support a government union. Unfortunately, I have no choice. To keep my job at the state, I have to pay monthly fees to the American Federation of State, County and Municipal Employees, or AFSCME, a public employee union that claims to 'represent' me...

"The union voice is not my voice. The union's fight is not my fight. But a piece of my paycheck every week still goes to the union. I am not anti-union. Unions have their place. And some people like them. But unions aren't a fit for everyone. And I shouldn't be forced to pay money to a union if I don't think it does a good job representing my interests."

###

*Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.*

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The Buckeye Institute, 88 East Broad Street,  
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**From:** Rossman, Brent  
**Sent:** Friday, September 29, 2017 10:43 AM  
**To:** House\_All  
**Subject:** Goodbye!  
**Attachments:** IMG\_2029.JPG

Good morning everyone,

Since I started in the House, I've had the Ashbrook Center's pocket Constitution and Declaration perched upon my desk. It's a neat little booklet that also contains Lincoln's Second Inaugural, the Gettysburg Address, and excerpts from some of Thomas Jefferson's letters. I've turned to it many times for inspiration, and occasionally, for work purposes. I carried this same pocket constitution while I was in college, when I was just beginning to understand the depth of meaning contained in our Founding documents.

Now, I am excited to carry this same little booklet back to the Ashbrook Center to embark on a new chapter in my career. With it, I carry back a deeper understanding of the legislative process, and great experiences in politics. It still astounds me that we all have had the opportunity to help make law and improve the lives of 11.5 million people. I'm incredibly grateful for the opportunity to serve the people of Ohio. These experiences will all help me with my new mission of cultivating good civics education in our country through the use of primary source documents.

Better yet, I'll also carry with this little booklet memories and friendships that will last a lifetime. I'll miss the House, but I won't be far away. Feel free to stay in touch. My cell is 419-561-0073 and my personal email is [brossman4913@gmail.com](mailto:brossman4913@gmail.com)

Sincerely,

*Brent Rossman*

Legislative Aide  
Representative Wes Goodman  
Ohio House of Representatives  
District 87

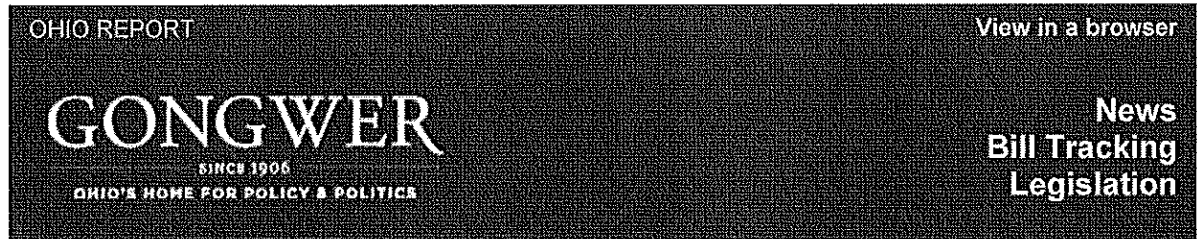
*Brent.Rossman@ohiohouse.gov*  
*Office: 614.644.6265*  
*Cell: 419.561.0073*



**From:** Gongwer News Service  
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**Subject:** Ohio Report, Friday, September 29, 2017  
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## OHIO REPORT FRIDAY, SEPTEMBER 29

Grading The State Report Card: Experts, Policy Makers Weigh In On How Ohio Assesses K-12 Education

Governor Candidates Tout Qualifications At GOP Central Committee

Portman, Brown Recommend Two Federal District Court Nominees

Senate Weighs Healthy Ohio Proposal, Looks At Submission Options

Abortion Totals Continued To Decline In 2016, State Reports

**Home Care Touted As Alzheimer's Dementia Option; Commerce  
Publicizes Medical Pot License Applicants**

**Addiction Recovery Advocates Rally; State Awards Behavioral Health  
Grants...**

**High Court Clarifies Record Sealing Law; Buckeye Institute Joins In  
Public Sector Union Case; Ohio Professor Nominated For Federal  
Judgeship...**

**Borges Issues Warning After OEC Ruling; Dems Pile On Over ECOT  
Overpayments; Renacci Cancels NFL Ad**

**Agency Briefs: Ohio Minimum Wage Rising In 2018; OPSB; USDA; ODA**

**Governor's Appointments**

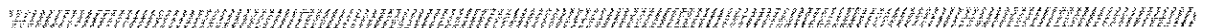
**Gongwer Statehouse Job Market Updated**

**Attorney General's Opinion**

**Supplemental Agency Calendar**

**Supplemental Event Planner**

## **CALENDARS**



**Day Planner**

**Legislative Committee Schedules**

**Event Planner**

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## **Event Planner**

**Sunday, October 1**

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (5:15-6:15pm: Welcome Reception & Hall of Fame Tours; 6:15pm-8:15: Program & Dinner; 8:20pm-10:00pm: Live Music with the Four Keeps; 10:00pm: After Party Reception at the M-Bar)

Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)

**Monday, October 2**

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (10:30am: Golf Outing Start (registration begins at 8:30am); 1:00pm: First Ladies Library Tour (registration begins at 12:00pm); 2:00pm: President McKinley Museum Tour (registration begins at 12:00pm); 3:00pm-4:00pm: OLBC Cookout/Reception at the National Historic Clearview Golf Course)

Lobbyist and Employer Activity & Expenditure Reports for the May-August 2017 reporting period are due

OHROC Chairman's Cup golf outing fundraiser, Virtues Golf Club, 1 Long Drive, Nashport, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Host: \$5,000; Event Sponsor: \$2,500; Tee Sponsor: \$1,250; Foursome: \$1,000; Individual Golfer: \$250; Reception Only: \$100 to OHROC)

**Tuesday, October 3**

Ohio Domestic Violence Network to recognize National Domestic Violence Awareness Month, Museum Gallery, Statehouse, Columbus, 9:30 a.m.

**Wednesday, October 4**

Sen. Troy Balderson (R-Zanesville) & Sen. Stephanie Kunze (R-Hilliard) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Troy Balderson for State Senate and Citizens for Stephanie Kunze) Rep. Anne Gonzales (R-Westerville) cigar fundraiser, Lexi's, 100 E. Broad Street, Columbus, 4:30 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Anne Gonzales)

**Thursday, October 5**

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Lane, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. \$1,000 Event Sponsor | \$400 per Team | \$200 Tee Sponsor | \$100 per Golfer to Matt Huffman for Ohio)

**Sen. Louis Terhar (R-Cincinnati) fundraiser, Schilderink residence, 9675 Cunningham Road, Cincinnati, 6 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)**

### **Sunday, October 8**

**Sen. Steve Wilson (R-Maineville) family picnic, Warren County Armco Park, 1223 OH-741, Lebanon, 1 p.m.**

**Republican gubernatorial candidate forum, Genoa Baptist Church, 7562 Lewis Center Rd., Westerville, 7 p.m., (Sponsored by Citizens for Community Values and Salem Media of Ohio)**

### **Tuesday, October 10**

**Rep. Niraj Antani (R-Miamisburg) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Niraj Antani)**

**Rep. Jeff Rezaek (R-Clayton) and Rep. Nathan Manning (R-North Ridgeville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Rezaek and/or Manning for Ohio)**

**Sen. Matt Huffman (R-Lima) fundraiser, Athletic Club of Columbus, Gold Room, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1000 Event Host | \$500 Event Sponsor | \$350 Individual to Matt Huffman for Ohio)**

**Sen. Kevin Bacon (R-Columbus), Sen. Troy Balderson (R-Zanesville) & Sen. Joe Uecker (R-Loveland) fundraiser, Athletic Club of Columbus, Lounge, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Citizens for Kevin Bacon or The Committee to Elect Joe Uecker)**

**Sen. Matt Dolan (R-Chagrin Falls) and Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club of Columbus, Parlors A&B, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of Matt Dolan Or Citizens for Hottinger)**

### **Wednesday, October 11**

**Rep. Thomas West (D-Canton) fundraiser, Dempsey's, 346 S. High St., Columbus, 8:30 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Team West)**

**Rep. Terry Johnson (R-McDermott) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Terry Johnson for State Rep)**

**Rep. Steve Huffman (R-Tipp City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 12 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Steve Huffman for State Rep)**

**Rep. Ron Young (R-Leroy Township) fundraiser, Athletic Club of Columbus - Parlor D, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Friends of Ron Young)**

**Rep. Tim Ginter (R-Salem) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Special Guest Former Speaker Bill Batchelder. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Tim Ginter for State Representative)**



House Minority Leader Fred Strahorn (D-Dayton) fundraiser, Elevator Brewery and Draught Haus, 161 N. High St., Columbus, 5 p.m., (Sponsor levels: Sponsor: \$2,500, Host: \$1,000, Guest: \$500, Friend: \$350 to Committee to Elect Fred Strahorn)

Sen. John Eklund (R-Chardon) fundraiser, Lexi's on Third, 100 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of John Eklund)

Sen. Lou Terhar (R-Cincinnati) fundraiser, Fleming residence, 2374 Brixton Road, Columbus, 5:30 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

### **Friday, October 13**

OSBA Law & Media Conference, Ohio State Bar Association, 1700 Lake Shore Dr., Columbus, 9:30 a.m., (Registration at 8:30 a.m. For more information contact Halle Malcomb, hmalcomb@ohiobar.org)

### **Tuesday, October 17**

Republican Senate Campaign Committee pig roast fundraiser, Land Grant Brewery, 424 W. Town St., Columbus, 5 p.m., (\$10,000 Whole Hog Sponsor | \$5,000 Half Hog Sponsor | \$2,500 Loin Sponsor | \$1000 Bacon Sponsor | \$500 per Attendee to RSCC)

Rep. Michael Sheehy (D-Oregon) fundraiser, Club 185, 185 E Livingston Ave., Columbus, 5:30 p.m., (Sponsor levels: Sponsor \$1,000, Host \$500, Friend \$350 to Committee to Elect Michael Sheehy)

Rep. Adam Miller (D-Columbus) fundraiser, Capital Club, 41 S. High St., Columbus, 5:30 p.m., (Sponsor \$1,000, Supporter \$500, Attendee \$250 to Miller for Ohio)

### **Wednesday, October 18**

Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Gold Room, 136 E. Broad St., Columbus, 7:30 a.m., (\$2500 Event Chair | \$1000 Event Host | \$500 Event Sponsor | \$350 Individual to Citizens for Lehner)

Sen. Sandra Williams (D-Cleveland) fundraiser, Einstein's, 41 S High Street, Columbus, 7:30 a.m., (Platinum Sponsor - \$1,000; Gold Sponsor - \$500 or Suggested Contribution - \$350 to Friends of Sandra Williams)

Rep. Steve Arndt (R-Port Clinton) fundraiser, deNOVO, 150 S. High Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends for Steve Arndt)

Rep. Kathleen Clyde (D-Kent) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5 p.m., (Gold Sponsor \$2,500, Silver Sponsor \$1,000, Bronze Sponsor \$500, Supporter \$250 to Kathleen Clyde Committee)

Rep. Glenn Holmes (D-McDonald) fundraiser, Dempsey's, 346 S. High St., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Committee to Elect Glenn Holmes)

Sen. Stephanie Kunze (R-Hilliard) fundraiser, Scioto Country Club, 2196 Riverside Dr., Columbus, 5:30 p.m., (Special Guest: Senate President Larry Obhof. Event

Sponsor \$1000, Event Host \$500, \$150 per couple, \$100 per individual to Citizens for Stephanie Kunze)

#### **Thursday, October 19**

Rep. Teresa Fedor (D-Toledo) fundraiser, Maumee Bay Brew Pub, 27 Broadway Street, Toledo, 4:30 p.m., (Friend: \$250; Host: \$500; PAC: \$1,000 to Citizens with Fedor)

Sen. Bill Beagle (R-Tipp City) shooting fundraiser, Vandalia Range and Armory, 100 Corp Center Drive, Vandalia, 5:30 p.m., (\$1,000 Event Sponsor; \$500 Lane Sponsor; \$100 per Person; \$50 Dinner only to Citizens for Bill Beagle)

#### **Tuesday, October 24**

Rep. Ryan Smith (R-Bidwell) fundraiser, Athletic Club of Columbus - Lounge, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$10,000; Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000 to Friends of Ryan Smith)

Rep. Jack Cera (D-Bellaire) & Rep. Nick Celebrezze (D-Parma) fundraiser, Gresso's, 961 S. High St., Columbus, 7 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Nicholas J. Celebrezze and Jack Cera for State Representative)

#### **Wednesday, October 25**

Rep. Sarah LaTourette (R-Chesterland) and Rep. Theresa Gavarone (R-Bowling Green) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to LaTourette for Ohio and/or Citizens for Gavarone)

Rep. Teresa Fedor (D-Toledo) fundraiser, The Lounge at Latitude 41, Renaissance Hotel, 50 North 3rd Street, Columbus, 5:30 p.m., (Friend: \$250; Host: \$500; PAC: \$1,000 to Citizens with Fedor)

#### **Thursday, October 26**

Rep. Glenn Holmes (D-McDonald) fundraiser, Cimenero's Banquet Center, 123 N. Main St., Niles, 5 p.m., (Victory Sponsor \$1,400, Touchdown Sponsor \$700, Field Goal Sponsor \$300, Individual Tickets \$50 to Committee to Elect Glenn Holmes)

#### **Sunday, October 29**

Democratic gubernatorial debate, Greater Columbus Convention Center, 400 N. High St., Columbus

Ohio Democratic Party state dinner, Greater Columbus Convention Center, 400 N. High St., Columbus, (Featured speaker: Virginia Gov. Terry McAuliffe)

#### **Tuesday, October 31**

Rep. John Rogers (D-Mentor on the Lake) & Rep. John Patterson (D-Jefferson) fundraiser, Club 185, 185 E Livingston Ave, Columbus, 5:30 p.m., (Sponsor \$1,000,

Host \$500, Friend \$350 to Friends of Rogers and Committee to Elect John Patterson)

### **Wednesday, November 1**

Rep. Emilia Sykes (D-Akron) & Sen. Vernon Sykes (D-Akron) fundraiser, Einstein's Bros. Bagels, 41 S. High St., Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Emilia Sykes Campaign and Sykes for Office)

Rep. Craig Riedel (R-Defiance) and Rep. Kristina Roegner (R-Hudson) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Craig Riedel and/or Kristina Daley Roegner for Ohio)

Rep. Dave Greenspan (R-Westlake) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Dave Greenspan)

Rep. Bill Seitz (R-Cincinnati) and Rep. Bill Blessing (R-Cincinnati) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,000; Sponsor: \$1,000; Host: \$500; Individual: \$350 to Seitz for Ohio and/or Citizens for Blessing)

Rep. Bernadine Kent (D-Columbus) fundraiser, Lincoln Cafe, 740 E. Long St., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Kent for Ohio)

### **Thursday, November 2**

Rep. Steve Hambley (R-Medina) fundraiser, High & Low Winery, 588 Medina Road, Wadsworth, 6 p.m., (Special Guest President Larry Obhof. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Hambley for House Committee)

### **Wednesday, November 8**

Rep. Mike Duffey (R-Worthington) and Rep. Laura Lanese (R-Grove City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Citizens for Duffey and/or Lanese for Ohio)  
Sen. Cliff Hite (R-Findlay) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (\$2,500 Chair | \$1,000 Host | \$500 Sponsor | \$350 Attendee to The Committee to Elect Cliff Hite)

### **Tuesday, November 28**

Rep. Scott Ryan (R-Newark) fundraiser, Pub Mahone, 31 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Scott Ryan)

### **Wednesday, November 29**

Rep. Michele LePore-Hagan (D-Youngstown) fundraiser, Einstein Bros. Bagels, 41 S High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Michele Lepore-Hagan for State Representative)

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Scott Lipps)

Ohio House Republican Organizing Committee fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to OHROC)

Rep. Jim Butler (R-Oakwood) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio)

#### **Thursday, November 30**

Rep. Derek Merrin (R-Monclova Township) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Derek Merrin)

#### **Tuesday, December 5**

Rep. Gary Scherer (R-Circleville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Gary Scherer)

#### **Wednesday, December 6**

Rep. Kirk Schuring (R-Canton) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Citizens for Schuring Committee)

#### **Wednesday, February 28**

Ohio Cable Telecommunications Association Legislative Luncheon, Renaissance Hotel, 50 N. 3rd St., Columbus, 12 p.m.

#### **Monday, June 4**

Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740 Worthington Rd., Westerville

Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740 Worthington Rd., Westerville

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**Volume #86, Report #189 -- Friday, September 29, 2017**

**Grading The State Report Card: Experts, Policy Makers Weigh In On How Ohio Assesses K-12 Education**

From confusion and frustration to hopefulness and enlightenment, the responses to state report card grades released this month have run the gamut.

Schools and parents around the state have largely dismissed the rankings, which have dropped significantly since new standards were put in place a few years ago. Many have publicly criticized the grades, saying they're not rooted in reliable methods or just plain don't make sense.

A handful of education researchers and stakeholder groups, meanwhile, have released reports that rely on the report card data and tout its value in tracking trends. The analyses compare charter and traditional schools and gauge, among other things, how disadvantaged students are stacking up to their more privileged peers.

But, like them or not, report cards are here to stay. New federal K-12 laws continue to require states to assess students and schools as well as publish annual ratings.

So how then do policymakers and the K-12 community put an end to the report card frenzy that's become an annual occurrence since the state upped learning standards and moved to an A-F grading scale?

For some, the answer is to change how the bevy of school and testing data is presented.

**Push For Change:** Rep. Mike Duffey (R-Worthington) said he plans to introduce legislation and bring together a stakeholder group to overhaul report cards so that they no longer grade districts, but instead simply present information.

He said the goal is to fairly provide details of how schools are doing at educating students and quiet public distrust surrounding the current grading system.

"There seems to be an emerging consensus among superintendents and school boards of education and I think legislators are picking this up from the community and parents and from their own experience that report cards have been too volatile," Rep. Duffey said.

More than a dozen other states have instituted an A-F grading scale over the last few years. Like Ohio, many have put off handing out one overall grade to each district in an effort to ease into the change.

However, a handful may never get to that point in their reporting because of backlash to the grades. West Virginia, Alabama and Texas are just a few states debating how to move forward, according to reports.

Rep. Duffey said the public outcry in Ohio is already loud enough to require change, proving that parents and students think their schools are doing better than the report cards reflect.

Many districts, including wealthy suburban districts that were previously accustomed to getting As, have received Fs in a handful of categories over the past two years despite overall scores improving this year. Urban districts that have retooled their entire curricula and cultures say their progress isn't translating to higher report card scores.

"Parents are by and large siding with their school districts over the state, which means the state report card does not have the public's trust," he said. "When it doesn't have the public's trust, it fails to have value as a tool for the state."

The progress measure of the report card is the most-often challenged of the six graded components.

Rep. Andy Brenner (R-Powell), who chairs the House Education Committee, said its calculation needs changed because it is a zero-sum ranking, meaning districts can only score better each year if they're making more progress in relation to the progress other schools have made.

For example, students at Olentangy Local Schools saw growth on average, but their progress component score was an F because there wasn't as much growth as experienced by students at Rocky River City Schools, which received an A, he said.

"If everybody else is doing OK, then they can fall off and I'm not really sure that that's what we should do," Rep. Brenner said.

"I think we need to make sure that we're giving the data to the schools and districts so they understand what they need to do to improve the districts if they're capable," and the current grading formula doesn't always allow that, he said.

Data analyst Howard Fleeter with the Ohio Education Policy Institute said he's supportive of the data that's gathered to inform the progress component, but also suggested there could be a better way to grade it.

"When I was teaching, I thought that if every student was worthy of an A, every student should get an A," he said.

Having closely analyzed report card data, Mr. Fleeter said he's grateful for the wealth of information Ohio collects, which is much more than other states.

Over the years, it's helped him find data trends that can predict how students will perform in the future, reveal persistent learning gaps rooted in poverty, and determine how much it costs to educate different types of students, among other things, he said.

However, when it comes to how the state compiles the data to determine grades, Mr. Fleeter said there'd be no love lost on his part if the state threw out its A-F scale.

"I think that the data that is on the report cards is valuable. I am less of a fan of the actual letter grades," he said.

"I think one way you could defend the letter grades is to say, 'There is so much data that's out there. That regular person needs some sort of a shorthand way to make sense out of it and that's what the letter grades do.' The problem is that the letter grades also lead to some shame."

When the learning standards weren't as stringent and the A-F scale wasn't yet introduced, nearly 300 districts received the highest rating of Excellent on state report cards, according to Department of Education records.

Now that many of those same schools are receiving low marks on report cards, their morale may be down, Mr. Fleeter said.

Rep. Brenner suggested that the change in report card rankings could also have a negative economic impact on the state. He said it could signal to businesses looking to move to Ohio that students are less prepared than they were a few years ago when grades were good, even though districts, parents and many lawmakers don't feel that's the case.

"If you get Fs on the report card, would a major company like Amazon take a look at that?" he questioned.

Sen. Peggy Lehner (R-Kettering) said she'd be willing to take legislative action to change report cards, which is the only way modifications can be made. It has to be under the right circumstances, though, she said.

"I'm always open to looking to make the report card a better vehicle that gives us more accurate information and if that's the goal, yes. If the goal is we don't like the results, so let's get rid of the report card, I'd be much more concerned, frankly," said Sen. Lehner, who chairs the Senate Education Committee.

"We need to make sure that the report card is an accurate tool of assessment, but we do need to make sure that we also assess."

**Reframing Report Cards:** In an effort to stem the wave of concerns that come with every report card release, Superintendent of Public Instruction Paolo DeMaria has continually stressed that viewers should look outside the box.



The Ohio School Boards Association advises its members to do the same, said Damon Asbury, the group's director of legislative services. Board members are also encouraged to highlight their districts' non-academic accomplishments.

"It's an important measure, it tells us a lot of information, but it's not the only measure of how to judge your school district and its progress," he said of report cards.

To aid in the push to reshape thinking, ODE this year introduced a section on the individual grade card pages where districts can link to websites highlighting their successes.

Although the aim has been to reframe the general public conversation about report cards, superintendent DeMaria said the importance of the data they provide should still be at the forefront for policy makers.

"It does not paint a complete picture of what is happening in our schools and districts across the state, but it does paint a picture of what's happening academically to a certain extent and it is something that we should pay attention to," he said.

In a presentation before the Speaker's Task Force on Education and Poverty, he said report card results show a clear connection between economically disadvantaged students and poor academic outcomes. (See Gongwer Ohio Report, September 28, 2017)

They also show that a few schools with high concentrations of disadvantaged students are also high achieving, meaning that those students can learn under the right circumstances, he said.

"It allows us then to dig into this phenomenon that we're here to talk about and that is understanding the achievement gaps and acknowledging them," Superintendent DeMaria said of the assessment results displayed through report cards.

Sen. Lehner said there's also a lot that can be learned from new report card indicators showing how Ohio students scored on the ACT and SAT, which are included in the Prepared for Success measure.

The scores were "abysmally low and seem to track pretty well with some of the other data that we're seeing in the report card and that should give a lot of people pause that the report card, as clumsy as it may be, as lengthy as it may be, that it actually is telling us something that we need to really sit up and pay attention to," she said.

When the first report cards were released about two decades ago, they only showed what percentage of students were proficient on new state exams in core subjects, how many students were graduating and school attendance rates.

The report cards now include six components, ten measures and a handful of ungraded data such as financial information. It takes into account student scores on more than a dozen standardized tests.

The state's data collection to assess schools has come a long way, Mr. Fleeter said. So while report cards shouldn't serve as the sole arbiter of whether schools are preparing students for the future, it wouldn't be wise to dismiss them.

"Now we have the ability to disaggregate the data and look at different types of students and you can compare them and you really can understand what's behind things and where the problems are to a greater degree," he said. "People tend to not think about it, but we are lucky that we have all this information that's out there because we can understand better what we're doing well and what we're not as a state."

### **Governor Candidates Tout Qualifications At GOP Central Committee**

Three of Ohio's four Republican gubernatorial candidates on Friday worked to sway a room full of party leaders on why they should top the ballot heading into the 2018 election.

Secretary of State Jon Husted, U.S. Rep. Jim Renacci and Lt. Gov. Mary Taylor each spoke before the GOP State Central Committee at a Columbus-area convention center. Attorney General Mike DeWine, also a candidate for the top executive office, was unable to attend.

Although Ohio Republican Party chairwoman Jane Timken remains adamant the party will not endorse to avoid tipping the primary scales, each statewide GOP contender was given the chance to appear before the committee.

Mr. Husted kicked off the remarks, touting his endorsements from pro-gun groups and his outreach through ten satellite call centers that have already made more than 20,000 calls.

"We outraised all candidates for this race," Mr. Husted said. "And you haven't seen anything yet. We're going to continue to build on that momentum and I'm really excited about it."

Emphasizing his efforts to streamline the business filing process and make his office self-sufficient, he positioned himself as a candidate who will follow through on his promises and thereby restore the faith of jaded voters who are frustrated with the system.

"I believe I can do the best job for you, that I can be the voice of the Republican party and the voice of the State of Ohio that will bring new ideas," Mr. Husted said.

Rep. Renacci, meanwhile, held true to his campaign strategy of painting himself as a Donald Trump-style outsider surrounded by candidates representing the status quo.

He struck a more conciliatory tone than his first television ad, however, giving some praise to Gov. John Kasich and stating that the party has "strong candidates." His TV spot released Thursday, the first of the campaign, blasted his three primary opponents as "Columbus fat cats."

Rep. Renacci described his background as a business owner who has created jobs and said voters are looking for a different type of candidate at the ballot.

"That's who I am," he said. "I'm an individual who hasn't spent my entire life in politics. That's the direction we need to take -- a little bit different vision."

Lt. Gov. Taylor emphasized her past election performance, including her status as the only Republican to win statewide office during the 2006 election when Democrats swept into office.

"We need a candidate in the general election who can win in November no matter what the political landscape looks like," she said. "And I win elections. Period."

She highlighted her tax and healthcare proposals, including her desire to eliminate Medicaid expansion, and pointed to her leadership of the Common Sense Initiative as a testament to her desire to curb government regulations.

Without naming names, she also seemed to downplay her rivals' fundraising strength and the advantage of Mr. DeWine's name recognition.

"People in our state, they choose our leaders," she said. "If money and a family name was all that mattered in races, Jeb Bush would be our nominee and Hillary Clinton would be our president today."

David Pepper, Ohio Democratic Party's chairman, in response called the Republican's primary gubernatorial race "one big race to the right."

"The Republican candidates are focused on nasty attacks against one another, while our Democratic candidates are focused on addressing the concerns of voters," Mr. Pepper said. "We've had 57 straight months of job growth trailing the national average, we're struggling to deal with the nation's worst opioid crisis and our public school system has fallen from fifth in the nation to 22nd. The Republican status quo isn't working for Ohio, and Democrats will represent change in 2018."

Other candidates seeking statewide office that addressed the group include Treasurer Josh Mandel, a U.S. Senate hopeful, Rep. Keith Faber (R-Celina), who's running for state auditor, and Rep. Robert Sprague (R-Findlay), a state treasurer candidate.

**Endorsements:** The group's endorsement policy review committee also recommended the party take no stance on Issue 1 -- the Ohio Crime Victims Bill of Rights -- or Issue 2 - the Ohio Drug Price Relief Act. The full committee accepted that recommendation with no discussion.

The Republican committee did officially endorse a pair of Ohio Supreme Court candidates: Judge Mary DeGenaro and Judge Craig Baldwin.

Judge DeGenaro, of the Seventh District Court of Appeals, and Judge Baldwin, of the Fifth District Court of Appeals, are running for seats occupied by age-limited Justices Terrence O'Donnell and Bill O'Neil.

In other business, the committee also appointed Katie DeLand to the 12<sup>th</sup> District seat formerly held by Becky Engel.

### **Portman, Brown Recommend Two Federal District Court Nominees**

The state's two U.S. senators on Friday announced recommendations to fill two seats on the federal bench - and one could mean a change in Gov. John Kasich's cabinet.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Cleveland) have recommended Bureau of Workers' Compensation Administrator/CEO Sarah Morrison to fill a seat on the U.S. District Court of the Southern District of Ohio soon to be vacated by retiring Judge Thomas Rose.

The lawmakers also forwarded to the White House a recommendation that Fourth District Court of Appeals Judge Matt McFarland fill the seat on the same court vacated by Judge Gregory Frost.

"I am honored to be considered for the position of federal district judge, and I sincerely appreciate the support of Senators Portman and Brown," Ms. Morrison said in a statement. "As the approval process moves forward, I remain committed to serving Ohio's employers and injured workers at the Bureau of Workers' Compensation."

Sen. Portman said Ms. Morrison "enjoys sweeping support for this seat because of her breadth of experience in the public and private sectors, including her time as CEO of Ohio's Bureau of Workers Compensation."

Ms. Morrison, who would serve from Columbus, has led the BWC since May 2016 after joining the bureau in November 2012. Prior to that, she was a partner at Taft Stettinius & Hollister, LLP in Columbus.

She has a law degree from Capital University.

Judge McFarland, who would serve from the court in Dayton, was elected to the state appellate court in 2004 and reelected in 2010 and 2016. Prior to that, he served as a magistrate in the Scioto County Common Pleas Court Probate/Juvenile Division. He also served as an assistant prosecutor in Scioto and Licking counties and as special counsel in the attorney general's office.

He also has a law degree from Capital University.

"It is truly an honor to continue to serve the citizens of Ohio and if nominated by the president and confirmed by the Senate, I will work tirelessly to make Ohio proud in the administration of justice," he said.

Sen. Portman said Judge McFarland has "been a dedicated public servant in the state court of appeals."

"His esteemed reputation is well deserved and I am confident he will continue to distinguished service on the bench," he said.

Sen. Brown said in both cases he was proud to join his colleague in a bipartisan process and thanked both Ms. Morrison and Judge McFarland for their willingness to serve.

Both were recommended to the senators by a bipartisan advisory committee.

The recommendations will be vetted by the White House and the U.S. Senate Judiciary Committee before being considered by the upper chamber.

### **Senate Weighs Healthy Ohio Proposal, Looks At Submission Options**

The Healthy Ohio Medicaid waiver proposal appears to be getting a new look by the Senate, but it's not clear if the chamber will vote to override Gov. John Kasich's veto or approach the effort another way.

The proposal, which was included in the previous budget and rejected by the federal Centers for Medicare and Medicaid Services, was included again in the current budget (HB 49) but vetoed by the governor.

The waiver has drawn questions as to whether it could gain federal approval due to the lack of flexibility the legislation would give the state in negotiating with federal regulators. Nevertheless, some officials say they are optimistic that the Trump administration would be more receptive to the plan than President Barack Obama's.

"I have had positive conversations with the administration in Washington about the Healthy Ohio waiver," Senate President Larry Obhof (R-Medina) said this week. "I look forward to additional conversations about that, whether the language that is currently pending in the override is exactly right or not, or if there's changes that we could make to that as separate legislation."

Sen. Obhof said the question of whether or not the Senate takes up the proposal would hinge on the continued debate over the Affordable Care Act at the federal level.

"I do anticipate that if the Medicaid expansion is here for the next few months, at some point we're going to re-evaluate the Healthy Ohio plan and whether to move ahead with the override or introduce additional legislation," he said.

The waiver request would allow the state to have certain Medicaid enrollees pay into modified health savings accounts, which would be used to cover co-pays. The state would also contribute to the accounts, with that money acting as a deductible. People who move off of Medicaid would then be able to use the money left over to cover insurance and other expenses

Some, including members of a Senate committee that discussed waivers this week, have said the current proposal might be too detailed and prescriptive, and would not allow the state to negotiate changes with CMS to earn approval. (See Gongwer Ohio Report, September 26, 2017)

In his veto message, Gov. Kasich said the proposal has already been rejected by the federal government once.

"The Administration shares the goal of expanding Ohio's flexibility in managing our Medicaid programs, and is committed to working with the General Assembly to seek achievable solutions that would accomplish this goal," he wrote. "Requiring Medicaid to seek an identical waiver for the Healthy Ohio Program would be duplicative and an ill-advised use of Medicaid resources."

Rep. Jim Butler (R-Oakwood), one of the architects of the proposal, said the state is still able to negotiate changes with CMS despite how prescriptive it is in code.

"In terms of flexibility in negotiations, there is absolutely nothing in statute that would prohibit changes being made and then being ratified by the legislature," he said in an interview.

Rep. Butler said the Senate should follow the House's lead and vote to override the veto. He said the intent was never to have the administration go to the federal government and say "take it or leave it" with what was passed by the legislature. Any changes requested by CMS could then be approved by the General Assembly.

"Anything to the contrary, I think, is an excuse for not submitting a waiver that would have meaning for our health care system and truly control health care costs," he said.

### **Abortion Totals Continued To Decline In 2016, State Reports**

The number of abortions in Ohio continued its more than decade-long decline in 2016, falling to just above 20,000, according to figures released Friday.

The Department of Health reported a total of 20,672 abortions in the state in 2016, down about 1% from the prior year's total of 20,976.

Of those, 19,543 were obtained by Ohio residents. Since 2001, the annual decline has averaged about 900 per year, ODH said.

The abortion rate was 8.9 per 1,000 resident women ages 15-44, which was unchanged from 2015, the agency reported. There were 142 abortions by Ohio residents per 1,000 live births.

The number of abortions, which has been tracked since 1976, peaked at more than 45,000 in 1982.

Ohio Right to Life credited the decline to anti-abortion policies enacted at the state level.

"This report is further proof of how successful the pro-life movement has been in Ohio" Mike Gonidakis, the group's president, said in a statement. "This past year alone, we saw 304 lives saved from the pain and suffering of abortion. We continue to advance groundbreaking legislation to protect the unborn, and we thank Governor John Kasich and the Ohio General Assembly for their role in promoting a culture of life in Ohio. By enacting common sense and life-saving initiatives Ohio is protecting both mothers and their babies."

The group touted legislation it's currently pushing for in the General Assembly, including bills to ban abortions due to a Down syndrome diagnosis (HB 214, SB 164) and to ban "dismemberment" abortions (SB 145).

"The historic low of abortions reported today indicates that the culture of life we've strived for is becoming a reality," Mr. Gonidakis said. "That being said, Ohio Right to Life is whole-heartedly committed to fighting for the sanctity of human life, until the Abortion Report is unnecessary because there are no more abortions committed in Ohio."

NARAL Pro-Choice Ohio Deputy Director Jaime Miracle pointed to an increase in the number of non-surgical abortions, from 1,195 in 2015 to 3,818 in 2016. She said that showed the effects of a change by the U.S. Food and Drug Administration to allow for a one-pill dosage of a medication used in non-surgical abortions.

"The real story with this year's report is that Ohio women are accessing more affordable medication abortion at a rate closer to before Ohio law required physicians to use an outdated, less effective, more expensive protocol," she said in a statement. "When health care policy is shaped by science, not politics, women win. This report shows that the new FDA protocol allows women to access the health care they need and choose the abortion method that is best for them."

Ms. Miracle said Ohio's nine facilities were able to provide safe, legal and affordable abortions to more than 20,000 women in Ohio.

"Unfortunately, Governor John Kasich and his band of usual suspects have wasted the taxpayers' time and money in pushing illegal and immoral tactics designed to block access to abortion clinics," she said. "Since taking office, Governor Kasich has signed 18 restrictions limiting access to reproductive healthcare in Ohio. Everyone deserves access to safe, affordable reproductive health care, including abortion, in their communities and we will continue to fight to ensure this is the reality in Ohio."

## **Home Care Touted As Alzheimer's Dementia Option; Commerce Publicizes Medical Pot License Applicants**

People suffering from dementia can receive support in their homes, allowing them to stay out of nursing facilities and assisted living longer, the House Speaker's Task Force on Alzheimer's and Dementia was told this week.

Joe Russell, executive director of the Ohio Council for Home Care and Hospice, told the task force that providing care for people in their own homes and communities is a quality of life issue.

Family caregivers often face a stressful and constant task of looking after loved ones with Alzheimer's and dementia, he said. Providing scheduled respite services and other in-home services can ease the burden on family members without them having to turn to institutional facilities.

Mr. Russell said the Department of Aging has explored a shared living service under the PASSPORT Medicaid waiver, which would allow a live-in caregiver to provide support in the senior's home. He said his group supports the concept but was concerned about the proposed reimbursement rates.

He said the state could also look at programs to allow for 24-hour in-home care for people with limited family supports. That could include a waiver that allows for personal care, homemaking and companion services provided by a live-in provider supplemented by home care aides in shifts, and monitoring technology.

"In the long run, this system would most likely be less costly than institutional care as well as provide an environment that is familiar and stable for the individual to help them remain part of their community for as long as their health allows them to do so," he said in testimony. "This arrangement would allow the individual to maintain their daily routines that are vital to their quality of life and overall health, as well as make it easier for interaction with family and friends in their community."

The task force also heard from Susan Dickey, who works with the Greater Cincinnati Area Chapter of the Alzheimer's Association. She discussed practice recommendations as part of the association's Quality Care Campaign.

"In the long run, this system would most likely be less costly than institutional care as well as provide an environment that is familiar and stable for the individual to help them remain part of their community for as long as their health allows them to do so," she said in prepared testimony. "This arrangement would allow the individual to maintain their daily routines that are vital to their quality of life and overall health, as well as make it easier for interaction with family and friends in their community."

She said the recommendations could be used as a foundation for evaluating clinical outcomes for care in the state.



**Medical Marijuana Updates:** The Department of Commerce Friday released information from the applications for cultivator licenses. The business entity and contact information forms for the 185 applicants for those licenses are now available online.

The DOC anticipates awarding cultivator licenses in November.

Earlier this week, the DOC announced that two universities - Central State University and Hocking College - had applied for laboratory applications. The department said it would accept applications from private testing laboratories between Nov. 27 and Dec. 8.

### **Addiction Recovery Advocates Rally; State Awards Behavioral Health Grants...**

Advocates in the fight against addiction gathered at the Statehouse Friday in the annual Rally for Recovery, emphasizing the importance of family and community members in supporting people battling substance use disorder.

The event hosted by Ohio Citizen Advocates for Addiction Recovery featured advocacy groups and providers offering information about social supports for people with addiction. Those who received awards included Gov. John Kasich, who was recognized with the Recovery Ally Award for his work promoting policy to fight drug addiction and expanding Medicaid.

Tracy Plouck, director of the Department of Mental Health and Addiction Services, said the rally was a way to demonstrate the importance of supporting people battling substance abuse.

"This is an excellent opportunity to raise awareness about how many people around our state are actually living in recovery," she said in an interview. "They're in all neighborhoods, all communities, and recovery is possible. I think this is an opportunity to reduce stigma and show that it isn't just individuals who are living in recovery. It's families, it's neighbors, it's employers, everybody can come together and provide support."

Director Plouck said community supports are essential in helping people who start down the path to recovery stay there.

"Clinical services are increasingly available because of the Medicaid expansion and the changes that have occurred in the last few years, but the availability of different recovery supports is equally important, really," she said. "You can connect with sobriety, but you need supports in the community, you need to not feel isolated in order to sustain that recovery."

Speakers included Joe Smith, a father of three daughters who suffer from addiction, who said recovery takes more than one person.

"It takes the community to recover," he said. "Each one of us who recovers helps facilitate the recovery of others."

**Behavioral Health Grants:** ODMHAS announced \$6 million in grants this week for community mental health and addiction service providers. The funding was awarded on a first-come, first-served basis to certified providers who intended to initiate or expand workforce capacity through training, tuition reimbursement and loan repayment programs.

"Ohio, like the rest of the nation is experiencing challenges to recruit, retain and support, on a long term basis, our existing workforce in community behavioral health agencies," Director Plouck said in a statement. "These grants represent another step forward as we work collectively to build a highly-qualified workforce and significantly increase system capacity at a time when communities continue to face serious challenges with opioid addiction and mental illness."

The department sent award notices to 61 providers across the state, who were each eligible for one-time funding up to \$100,000.

**Pharmacy Grant:** The State Board of Pharmacy this week also announced it received a grant worth nearly \$400,000 from the U.S. Department of justice to fund a two-year pre-criminal intervention program to deal with prescription drug abuse.

The program will use data from the Ohio Automated Rx Reporting System to identify signs of prescription drug abuse and connect those people with drug treatment or other support services.

"The goal of the program is to prevent addicted individuals from entering the criminal justice system," Pharmacy Board Executive Director Steven Schierholt said. "By engaging early, we can direct individuals to treatment before they turn to illicit, and more potent, drugs such as heroin or fentanyl."

### **High Court Clarifies Record Sealing Law; Buckeye Institute Joins In Public Sector Union Case; Ohio Professor Nominated For Federal Judgeship...**

A trial court is under no obligation to wait until the statute of limitations expires to seal the records in a case dismissed without prejudice, the Ohio Supreme Court ruled.

The decision authored by Justice Terrence O'Donnell resolves a conflict between the Fifth District Court of Appeals and the Eighth District Court of Appeals.

"Had the legislature intended for the applicable statute of limitations in a case dismissed without prejudice to expire before a trial court can seal a record under R.C. 2953.52(B)(4), it could have used the language it did in R.C. 2953.52(B)(3) regarding applications to seal records of DNA specimens. But it did not do so," he wrote.

The conflict was certified after James Dye of Pickerington had five misdemeanor charges against him dismissed without prejudice in the Fairfield County Municipal Court. He unsuccessfully sought to have the dismissal sealed by the trial court, a decision that was upheld by the Fifth District Court of Appeals, the high court reported.

Mr. Dye argued that both courts erred in determining that he was not eligible to have the records sealed because the statute of limitations had not expired.

The state, like Mr. Dye, argued that the statute is unambiguous. However, it said the language clearly makes him ineligible to have his record sealed until the statute of limitations expires.

Justice O'Donnell was joined in his opinion by five of his fellow members of the court, while Chief Justice Maureen O'Connor concurred in judgement only.

**Union Case:** The Buckeye Institute has joined a legal battle that could have major implications for public sector unions.

The group filed an amicus brief in the case of *Janus v. AFSCME*, which is currently before the U.S. Supreme Court.

Mark Janus, a child support specialist in Illinois, argues that being forced to pay agencies fees after opting out of his collective bargaining unit is a violation of his First Amendment rights.

"We are pleased that the Supreme Court will take up this crucial case to protect the First Amendment rights of public employees," President and CEO Robert Alt said. "Forcing employees to pay for speech with which they disagree and forcing them to pay fees to a union in order to keep their jobs is unjust and unconstitutional. We are confident that Mr. Janus will prevail and that the court will rule in favor of the First Amendment rights of all public employees."

**Federal Judgeship:** President Donald Trump has nominated Ryan T. Holte to serve on the bench of the U.S. Court of Federal Claims.

Mr. Holte currently serves as an associate professor of law and the director of the Center for Intellectual Property Law and Technology at the University of Akron School of Law.

He serves as general counsel, partner, and co-inventor of an electrical engineering technology company. He also worked as a trial attorney at the Federal Trade Commission, practiced law as an associate at Jones Day and clerked for a judge on the Eleventh Circuit Court of Appeals.

**Federal Grant:** An eight-state collaborative formed to combat the opioid crisis will receive a \$1 million federal grant to aid in its efforts, the high court announced Friday.

The Regional Judicial Opioid Initiative - comprised of Ohio, Illinois, Indiana, Kentucky, Michigan, North Carolina, Tennessee and West Virginia - was awarded the grant by the U.S. Department of Justice's Bureau of Justice Assistance.

"Our regional effort serves as a bridge connecting key leaders and staff from law enforcement, to courts, to treatment providers, to children services and other aid organizations," Chief Justice O'Connor said. "This grant will go a long way toward helping close the information, enforcement, services and treatment gaps that have allowed this epidemic to fester and grow."

**Volunteers Honored:** Fourteen individuals who lead tours at the Thomas J. Moyer Ohio Judicial Center were honored for their service by all seven high court justices during a luncheon, according to the court.

"Your knowledge and enthusiasm are appreciated throughout the building by the staff and the justices," Chief Justice O'Connor said. "I want you to know that. Those of us who work here, and you by extension, as being a face with many of the students that come into this building, are extremely proud of the building and proud of what you do for us in showcasing the building and this institution."

**Judicial Candidates:** The Board of Professional Conduct announced its 2018 schedule of seminars for judicial candidates.

**Disciplinary Hearings:** The Board of Professional Conduct also announced disciplinary hearings scheduled for October.

### **Borges Issues Warning After OEC Ruling; Dems Pile On Over ECOT Overpayments; Renacci Cancels NFL Ad**

An Elections Commission ruling could drastically alter the landscape of elections in Ohio, a former chairman of the Ohio Republican Party said Friday.

Matt Borges, who is now working for the Yes on Issue 2 campaign, said the panel's Thursday decision to dismiss two complaints against the opponents of a November ballot measure could open the door for political campaigns to use LLCs as pass-through entities to avoid financial disclosures.

Dismissed were complaints that the opposition PAC, Ohioans Against Issue 2, intentionally hid the source of its fundraising and violated state campaign finance disclosure laws. (See Gongwer Ohio Report, September 28, 2017)

Both complaints filed by the Yes campaign centered on the idea that PhARMA, a trade association of the pharmaceutical industry, was used as a pass-through entity to conceal millions of dollars of contributions from the drug industry to the PAC.

"If they had to do some long-term damage to Ohio to get what they want, they had no problem with that," Mr. Borges said. "They have been trying to keep folks in the dark throughout this entire campaign."

But Dale Butland, a spokesman for the No campaign, said the letter of the law was followed.

"If Matt Borges and the Yes side believe that Ohio law should be changed, then they should go to the legislature and ask them to do that," he said.

Mr. Butland also said Mr. Borges complaint about the dismissal is emblematic of a campaign in a "death spiral."

"The reason that they are going to lose isn't because there hasn't been enough debates, it's not because our side is not following the law, it's because they have a lousy proposal that will do great damage to this state and its people," he said.

**ECOT Overpayments:** With the announcement Thursday that the Electronic Classroom of Tomorrow will be docked an additional \$19 million for overpayments, one gubernatorial candidate is calling for the school to be "expelled."

Betty Sutton called the school's proposed change in status to a dropout and recovery institution a "sham."

"A failing school shouldn't be allowed to teach at-risk kids just so it can continue to rip off taxpayers. When a school lies and cheats they should be expelled. It's plain and simple. If they can't do basic math, they should not pretend to teach Ohio's kids," the Democrat said.

"It is beyond ridiculous that a sham school that leads Ohio in dropouts would be designated a dropout recovery school. We need to make Ohio the opportunity state by providing a good education for our children and that starts with expelling ECOT."

A Department of Education audit found that ECOT last year over-reported the number of full-time students it enrolls by 18.5% (See Gongwer Ohio Report, September 28, 2017)

The online charter school has already been order to repay \$60 million from the 2015-16 school year.

**Renacci Ad:** Those watching the Cleveland Browns take on the Cincinnati Bengals this weekend will not be learning about U.S. Rep. Jim Renacci's gubernatorial campaign.

The Alliance Republican announced Friday that he has canceled a \$20,000 ad buy during the game in the wake of a growing number of NFL players using the National Anthem as a platform to protest what they believe is racial injustice.

"While the First Amendment clearly affords NFL players and officials the freedom to engage in this appalling behavior, having the right to do something does not mean it's the right thing to do. Throughout our nation's history, countless American men and women of all backgrounds and races have sacrificed deeply to protect and preserve the ideals that our nation and its flag stand for - and our National Anthem serves as a tribute to that sacrifice that we should honor, not disparage," he said.

"And while the right to speak and protest peacefully is a fundamental freedom that we as Americans enjoy, protesting the most sacred symbols of those freedoms is both sadly ironic and an inexcusable, offensive display of contempt for what our nation stands for."

**Harbaugh Endorsement:** Ken Harbaugh, who is seeking to oust U.S. Rep. Bob Gibbs (R-Lakeview), announced that the Communications Workers of America has endorsed his candidacy in the 7th Congressional District.

"I am honored to have this endorsement from CWA. Ohio workers are among the best in the world. We need to fight for fair trade agreements and give our hard-working men and women a level playing field on which to compete," the Democrat said. "Folks working full-time jobs can and should be able to support their families. CWA is fighting for these improvements and so am I."

Added CWA District 4 Vice President Linda Hinton: "Ken's education, military background, and the fact he has spent a life helping others, show the experience and character needed to make workers and working families a priority."

#### **Agency Briefs: Ohio Minimum Wage Rising In 2018; OPSB; USDA; ODA**

Ohio's minimum wage will rise to \$8.30 per hour next year, up about 2% alongside the rate of inflation, the Department of Commerce announced Friday.

The \$8.30 wage applies to non-tipped employees at businesses with gross annual receipts of more than \$305,000 per year. For tipped employees, the new minimum wage will be \$4.15 per hour.

The current minimum wage is \$8.15 for non-tipped employees and \$4.08 for tipped employees.

For people who work at companies with gross receipts below \$305,000, and for 14- and 15-year-olds, the minimum wage will be the federal rate of \$7.25 per hour.

The state increase stems from an increase of 1.9% in the consumer price index.

**Public Utilities:** The Power Siting Board will hold a hearing Dec. 5 to allow the public to voice views about a proposal by Vinton Solar Energy LLC to build a solar-powered electric generation facility in Vinton county.

The hearing will take place at 6 p.m. that day at the Vinton County Community Building in McArthur.

The proposed facility would include arrays of solar panels with a combined generating capacity of up to 125 megawatts. It would be located on 1,950 acres of leased land in Elk Township, and the facility would be connected to the grid through American Electric Power's nearby Elk substation.

The adjudicatory hearing in the case will be at 10 a.m. Dec. 15 at the PUCO offices in Columbus.

**U.S. Department of Agriculture:** The department will award a \$22,910 solid waste management grant to Mahoning County, U.S. Rep. Tim Ryan (D-Niles) announced. The money will help fund the county's solid waste management district's rural recycling education and awareness program.

"I am pleased to announce this federal funding for Mahoning County," Rep. Ryan said in a statement.

"When it comes to preserving our environment for our kids, like many other issues, change starts at home. I am encouraged to see state and local governments like Mahoning County continuing to lead the charge on sustainability education. This funding will give rural Mahoning County an important boost, and represents a crucial federal investment. As long as I am in Congress, I will continue to fight to bring these important funds back to Northeast Ohio."

**Agriculture:** Gov. John Kasich on Friday signed an executive order creating an emergency rule on inflatable amusement ride safety inspections related to a change in the biennial budget bill.

The measure (HB 494) eliminated the statutory inspection fee for rides and granted authority to the Department of Agriculture director to develop rules for the fee structure.

The emergency rule announced in the EO will fill the gap until ODO develops the final rules for the inspections.

## **Governor's Appointments**

**State Dental Board:** Theodore T. Bauer, DDS of Columbus for a term beginning September 29, 2017, and ending April 6, 2021.

**Dentist Loan Repayment Advisory Board:** Jaime L. Darr, DDS of Massillon for a term beginning September 29, 2017, and ending January 28, 2019.

**Ohio Expositions Commission:** John R. Page of Lewis Center for a term beginning September 29, 2017, and ending December 1, 2020.

## **Gongwer Statehouse Job Market Updated**

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com).

## **Attorney General's Opinion**

No. 2017-032. Requested by Williams County Prosecuting Attorney Katherine J. Zartman. SYLLABUS:

A person may not serve simultaneously as prosecuting attorney of Williams County and member of a joint-county board of alcohol, drug addiction, and mental health services of a joint-county alcohol, drug addiction, and mental health service district of which Williams County is a part.

## **Supplemental Agency Calendar**

### **Monday, October 2**

Banking Commission, 77 South High Street, Room East B on the 31st floor, Columbus, 10 a.m.

### **Tuesday, October 3**

BRAC & Military Affairs Task Force, Rickenbacker Air Guard Base, 7370 Minuteman Way, Columbus, 1 p.m.

### **Wednesday, October 4**

Board of Building Appeals, Ohio Department of Transportation, District Three Office, Conference Room, 906 Clark Avenue, Ashland, 8:30 a.m.

Real Estate Commission, 77 South High Street, 22nd Floor, Columbus, 9 a.m.

### **Thursday, October 5**

Power Siting Board, 180 E. Broad St., Room 11B, Columbus, 3:30 p.m.

### **Friday, October 6**

Board of Building Standards, 6606 Tussing Road, Training Room 1, Reynoldsburg, 10 a.m.

## **Supplemental Event Planner**

### **Tuesday, October 3**

Ohio Domestic Violence Network to recognize National Domestic Violence Awareness Month, Museum Gallery, Statehouse, Columbus, 9:30 a.m.

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Click the  after a bill number to create a saved search and email alert for that bill.

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## **Legislative Committee Schedules beginning 10/2/2017**

**Monday, October 2**

Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

**Tuesday, October 3**

Senate Insurance & Financial Institutions (Committee Record) (Chr. Hottinger, J., 466-5838), Finance Hearing Rm., 9:30 a.m.

- Confirmation hearing on governor's appointment of William Sanderson, Ohio Housing Finance Agency

- HB 52** DEED SOLICITATION (Rezabek, J.) To regulate the solicitation of certain deeds. (2nd Hearing-Proponent)
- SB 120** DEBT ADJUSTING (Eklund, J.) Regarding debt adjusting (3rd Hearing-Opponent & interested party)
- SB 121** MAMMOGRAM COVERAGE (Eklund, J.) To include tomosynthesis as part of required screening mammography benefits under health insurance policies. (2nd Hearing-Proponent)
- SB 169** TRAVEL INSURANCE (Wilson, S.) To oversee the sale of travel insurance. (2nd Hearing-Proponent)
- HB 199** MORTGAGE LENDING (Blessing, L.) To create the Ohio Residential Mortgage Lending Act for the purpose of regulating all non-depository lending secured by residential real estate and to limit the application of the current Mortgage Loan Law to unsecured loans and loans secured by other than residential real estate. (2nd Hearing-Proponent)


Senate Judiciary (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.


- SB 195** DOGS LAW (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (1st Hearing-Sponsor)
- SB 196** BULLYING (Williams, S.) To create the offense of aggravated bullying, a third-degree misdemeanor. (1st Hearing-Sponsor)
- SB 130** FRANKLIN COUNTY COURT (Tavares, C.) To add two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas to be elected in 2018. (1st Hearing-Sponsor)
- SB 150** DOMESTIC VIOLENCE (Brown, E.) To prohibit a person convicted of domestic violence or assault of a family member, or a person subject to certain protection orders, from having a firearm; to establish a procedure for surrendering all firearms in the person's possession; and to name the act the "Domestic Violence Survivors Protection Act." (1st Hearing-Sponsor)


- SB 138** **INMATE SEARCHES** (Eklund, J.) To authorize a corrections officer to cause a body cavity search to be conducted, to establish separate rules and restrictions for conducting strip searches, and to limit the right of any person to commence a civil action for a violation of the law governing body cavity searches and strip searches to violations related to body cavity searches. (1st Hearing-Sponsor)
- SCR 6** **EXTRADITION** (O'Brien, S.) To urge the President of the United States, the United States Secretary of State, and the Congress of the United States to compel Brazil to extradite Claudia Hoerig to stand trial for the aggravated murder of her husband, Major Karl Hoerig, and to request that the United States terminate foreign aid payments to Brazil if Claudia Hoerig is not extradited. (1st Hearing-Sponsor)
- SCR 10** **GAULT DECISION** (Thomas, C.) To recognize 2017 as the fiftieth anniversary of In re Gault. (1st Hearing-Sponsor)
- SB 171** **PROTECTION ORDERS** (Hottinger, J.) To increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies. (1st Hearing-Sponsor)
- House Aging & Long Term Care (Committee Record) (Chr. Arndt, S., 644-6011), Rm. 122, 2:30 p.m.
- Presentation from Dr. Robert Applebaum of the Scripps Gerontology Center: "Policy Does Matter: Continued Progress in Providing Long Term Services and Supports for Ohio's Older Population"
- HB 286** **PALLIATIVE CARE** (LaTourette, S.) To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care. (2nd Hearing-Proponent-Possible substitute)
- House Public Utilities (Committee Record) (Chr. Cupp, R., 466-9624), Rm. 116, 3 p.m.
- HB 239** **SECURITY RESOURCES** (Smith, R., Carfagna, R.) To allow electric distribution utilities to recover costs for a national security generation resource. (6th Hearing-All testimony-Possible amendments)
- Senate Health, Human Services & Medicaid (Committee Record) (Chr. Burke, D., 466-8049), South Hearing Rm., 3:15 p.m.
- Confirmation hearing on governor's appointments of Joshua Cox, Benjamin Fields and Megan Marchal, State Board of Pharmacy; Michael Gonidakis, State Medical Board and Robert Schuerger, II, Ohio Athletic Commission
- HB 145** **CONFIDENTIAL TREATMENT** (Huffman, S., Sprague, R.) To provide for the establishment of a confidential program for the treatment of certain impaired practitioners and to declare an emergency. (1st Hearing-Sponsor)
- SB 143** **DAY DESIGNATION** (Eklund, J.) To designate September 25 as 'International Ataxia Awareness Day' in Ohio. (2nd Hearing-Proponent)
- HB 111** **MENTAL HEALTH COMMITMENTS** (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses to have a person involuntarily transported to a hospital for a mental health examination. (2nd Hearing-Proponent)

## Wednesday, October 4

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

**HB 118**  **PROPERTY TAX COMPLAINTS (Merrin, D.)** To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner. (2nd Hearing-Proponent)

**SB 186**  **BUSINESS INCOME (Peterson, B.)** To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (3rd Hearing-Opponent & Interested party)

**HB 69**  **TIF DISTRICTS (Cupp, R.)** To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district. (4th Hearing-All testimony)  
House Transportation & Public Safety (Committee Record) (Chr. Green, D., 644-6034), Rm. 017, 10 a.m.

- Presentations on autonomous and connected vehicles from Jonathan Weinberger, VP of Innovation and Technology for the Auto Alliance and Josh Fisher, manager state government affairs for Global Automakers

## Tuesday, October 10

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

- If needed  
Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.
- If needed  
Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.
- If needed

## Wednesday, October 11


Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

## Thursday, October 12

Ohio Retirement Study Council (Committee Record) (Chr. Schuring, K., 228-1346), Rm. 121, 10 a.m.

**NOTE:** Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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## **Daily Activity Planner for Saturday, September 30- Monday, October 2**

### **Legislative Committees**

**Thursday, October 12**

Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

### **Agency Calendar**

**Monday, October 2**

Banking Commission, 77 South High Street, Room East B on the 31st floor, Columbus, 10 a.m.

Speaker's Task Force on Heroin, Opioids, Prevention, Education, and Safety, MetroHealth, Scott Auditorium, Cleveland, 1:30 p.m.

### **Event Planner**

**Sunday, October 1**

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (5:15-6:15pm: Welcome Reception & Hall of Fame Tours; 6:15pm-8:15: Program & Dinner; 8:20pm-10:00pm: Live Music with the Four Keeps; 10:00pm: After Party Reception at the M-Bar)

Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)

**Monday, October 2**

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (10:30am: Golf Outing Start (registration begins at 8:30am); 1:00pm: First Ladies Library Tour (registration begins at 12:00pm); 2:00pm: President McKinley Museum Tour (registration begins at 12:00pm); 3:00pm-4:00pm: OLBC Cookout/Reception at the National Historic Clearview Golf Course)

Lobbyist and Employer Activity & Expenditure Reports for the May-August 2017 reporting period are due

OHROC Chairman's Cup golf outing fundraiser, Virtues Golf Club, 1 Long Drive, Nashport, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Host: \$5,000; Event Sponsor: \$2,500; Tee Sponsor: \$1,250; Foursome: \$1,000; Individual Golfer: \$250; Reception Only: \$100 to OHROC)

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